

Wisconsin Department of Natural Resources
Natural Resources Board Agenda Item

SUBJECT:

Public motorized access on Department owned and managed roads.

FOR: June 2015 Board meeting

PRESENTER'S NAME AND TITLE: Aaron Buchholz, District Land Representative

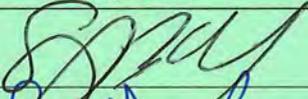
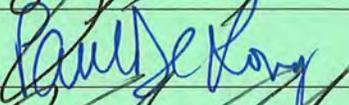
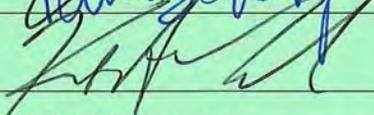
INFORMATION ITEM:

The Department's approach to implementation of a legislative directive to inventory and map Department owned roads showing motorized access and how the Department will utilize ecological, economic, and social considerations to develop an access plan that engages the public and partners in the process.

SUMMARY:

In 2013, in recognition of the increased interest in public motorized access and use on Department owned lands, the Legislature enacted Wis. Stat. s. 23.116 that directed the Department as follows: Wis. Stat. s. 23.116(2) "The department shall inventory and map all roads that are located on each department property. Each map shall designate which roads are open to the public for the use of motorized vehicles and shall state when each road is open or closed for such use." The new law further provided under Wis. Stat. s. 23.116(3) that: "For each department property, the department shall work with members of the public, governmental units, and other interested parties to prepare a plan for allowing the public to use motorized vehicles on the department property. Ecological, economic, and social criteria shall be considered in preparing each plan. Each plan shall include methods for implementing the plan, and each plan shall contain criteria to be used in determining when the use of motorized vehicles may be restricted or temporarily prohibited by the department due to logging or other activities."

The purpose of this informational item is to share the Department's efforts to implement the statute. Specifically share progress on: 1) road inventory definitions, road attributes, and systems to map all Department roads; 2) ecological, economic and social considerations to be used when evaluating and developing a road access plan; and 3) the process to work with members of the public, governmental units and other interested parties in the planning process.

Approved by	Signature	Date
Sanjay Olson, Land Division Administrator		6-7-15
Paul DeLong, Forestry Division Administrator		6/8/15
Cathy Stepp, Secretary		6/8/15

cc: Board Liaison – AD/8

Aaron Buchholz, District Land Representative

CORRESPONDENCE/MEMORANDUM

DATE: June 1, 2015

TO: Natural Resources Board Members

FROM: Cathy Stepp – Secretary, Department of Natural Resources

SUBJECT: Progress on implementation of Wisconsin Statute s. 23.116

The department is sharing information regarding the efforts to implement state statute 23.116 which directs the department to inventory all department owned roads and prepare a plan for motorized use. Significant progress has been made towards meeting the directives provided in the legislation. Included in this memo is the background of the law, a review of the work accomplished to date and the guidance that we will be asking the public to provide comments and input.

The Law

In recognition of the increased interest in public motorized access and use on department owned lands, the Legislature enacted Wis. Stat. s. 23.116 that directed the Department as follows: Wis. Stat. s. 23.116(2) "The department shall inventory and map all roads that are located on each department property. Each map shall designate which roads are open to the public for the use of motorized vehicles and shall state when each road is open or closed for such use." The new law further provided under Wis. Stat. s. 23.116(3) that: "For each department property, the department shall work with members of the public, governmental units, and other interested parties to prepare a plan for allowing the public to use motorized vehicles on the department property. Ecological, economic, and social criteria shall be considered in preparing each plan. Each plan shall include methods for implementing the plan, and each plan shall contain criteria to be used in determining when the use of motorized vehicles may be restricted or temporarily prohibited by the department due to logging or other activities."

Implementation

Key topics to bring to your attention include; the inventory and mapping, and the planning process, road evaluation considerations and opportunities for public interaction.

Inventory and Mapping

An evaluation determined that, other than state forests, there's very little department road inventory data available. Essentially the department needed to start from scratch and develop a comprehensive inventory system for spatial and tabular data system that is consistent department-wide. Development of draft definition of road for inventory purposes and the required information to be collected, attributes needed to inform planning/decision making has been completed. These can be found in the attached documents.

An existing department data base application, the Land Management System (LMS), was determined to be best suited to house the road inventory. A pilot of the LMS road inventory was conducted with staff in early June to inform the final development. The LMS will facilitate the

inventory to be completed at the property manager level and the inventory data will support the map products also required by the statute. The LMS has the ability to use road inventory data for reporting and metrics to support decision making.

Mapping will utilize the data captured with the inventory both for planning purposes and to provide maps to the public of roads open to motorized use. The existing Public Access Lands atlas map application available to the public that shows department ownership will be utilized as this has become the public's preferred way to access the information. The maps will be available via web and on mobile devices.

Considerations, Planning, and Public Engagement

The statute states that ecological, economic, and social criteria shall be considered in determining which roads will be open to public motorized use. Draft guidance has been developed that further defines these criteria for road evaluation considerations. It is intended that property managers and planners will use this as a basis for determining which roads will be open or closed to motorized access. These are broad in nature and allow for flexibility for interests at the property level specifically to capture the local social or community interests.

As the department moves forward with property master plan development the components of the statute will be incorporated into current and future master planning efforts. Master planning provides the public with several opportunities and types of engagement to provide input for the final determination of which roads will be open to motorized use. There may be properties with existing NR 44 compliant master plans that do not adhere to the requirements of the statute. These properties may follow a planning process similar to a master plan amendment process for road access. Again this process allows for public engagement.

Public Review

The department views the road definition, attributes and road evaluation considerations as programs guidance that can impact external interests. Accordingly the department will be notifying the public and posting this guidance for public review and comment for 21 days beginning June 24. Follow receipt of comments and their consideration guidance should be finalized for implementation by the end of August.

Department Road Inventory and Planning Guidance

Inventory, Evaluation and Determination of Motorized Use on Department Roads: *Goals, Outcomes, Principles, Assumptions, Considerations, and Definitions*

April 2015

The purpose of this guidance is to document the departments approach and definitions used to inventory and evaluate motorized use on Department roads to meet the intent of Wis Stats. 23.116.

Goals:

1. Develop a comprehensive database on DNR roads and determine which will be open and closed for public motorized use, their seasonality, the future development level, and the types of motorized vehicles allowed.
2. Increase opportunities for motorized access on DNR properties where appropriate, intended and publicly supported.

Outcomes:

1. Maps for each property that depict:
 - Roads open for public motorized use.
 - The seasonality of the public's use of roads.
 - The planned development level of the roads.
 - The types of motorized vehicles allowed (e.g., licensed street vehicles, ATV, UTV, off-road motorcycles).
2. A database of road attributes and features that is linked to existing DNR GIS and land records data systems.

Principles for Evaluating Motorized Road Access:

1. Applying the considerations is not independent in nature; rather, they are intertwined, affecting one another. The considerations will be analyzed comprehensively in a balanced approach.
2. The evaluation process will consider all types of motorized use on roads and the public's desire to access and enjoy Department lands using both motorized and non-motorized means.
3. The Department will seek public and partners input on the evaluation process, considerations, and outcomes.

4. The Department will monitor and evaluate impacts of changes to motorized access on properties and apply the results to properties as appropriate.

Assumptions:

1. Local conditions, demands, opportunities vary across the state. As a consequence, although the same evaluation considerations will be used statewide, the decisions about the appropriate road network open to the public for motorized use, the types of vehicles allowed, and their seasonality, will be unique to each property.
2. The assessment and determination for properties and roads will be evaluated on their individual merits.
3. The Department has the authority to designate roads for multiple uses, including ATV/UTV, on all types of its properties.
4. The recommendation of opening or closing roads for different types of motorized access will be made with the consideration that motorized uses can have adverse impacts on non-motorized recreational uses of properties.
5. Roads identified to be opened to public motorized access that are not currently in a condition to sustainably support that use, will not be opened until necessary funds are available and the improvements have been completed.
6. Department roads opened for motorized access will, from a legal standpoint, be designated as "highways of the state." As such, they will be open for all vehicles, including other forms of transportation that are legally allowed on highways including bicycles, mopeds, motorcycles, horses, and animal-drawn vehicles.
7. The Department has the authority to close roads by posted notice to protect natural resources, maintain public safety, address recreational conflicts, or other issues.
8. Existing roads on dams and dikes will not be opened to public motorized access unless the road meets engineering and safety requirements for sustained vehicle traffic.

Objectives and considerations:

Select appropriate roads to be open for motorized use that:

1. *Address visitor requests for access, including seasonal uses.*

In this evaluation, consider the following:

- The demand by the public to use motorized vehicles on each property, including purpose, location, density and types of vehicles.
- The demand for different types of recreation access, including seasonality, as well as the need to maintain non-motorized remote areas.

- The potential conflicts that different types of motorized access may have on non-motorized visitors.
- Public safety issues.
- The current use of the road, including development level, length of use (temporary or permanent), amount and timing of use, and type of use (recreational, management purposes, or administrative).
- The potential connections to local and regional transportation and recreation networks including adjacent public lands and existing Town and County road networks and the types of motorized use on each.

2. *Are operationally feasible for the Department to maintain based on the anticipated level of use.*

In this evaluation, consider the following:

- The short and long term maintenance and development costs including and the potential for supporting agreements and partnerships with user groups.
- The likely enforcement and monitoring costs.

3. *Do not significantly impact natural resources based on the anticipated level of use.*

In this evaluation, consider the following:

- The effects on vegetation, sensitive resources (e.g., rare species, refuges, natural communities, etc.) and seasonally vulnerable sites (e.g., rookeries, osprey nests, roost sites, hibernaculum, waterfowl staging areas, etc.)
- Important game and non-game species habitat.
- Waterways, wetlands, and surface water quality.
- Important cultural, historical, archeological, and scenic resources and soundscapes.
- Potential impacts from the spread of invasive species.

4. *Are physically capable of supporting the anticipated level of use.*

In this evaluation, consider the following:

- The physical conditions of the road, including surface material, soils, topography, width, sight lines, and other similar features.
- The conditions of associated infrastructure including bridges and culverts.
- The amount and type of vehicle use the road was designed to support.

5. *Provide economic benefits.*

In this evaluation, consider the following:

- The economic benefit that the anticipated level of use may have on businesses in local communities such as outdoor supply stores, outfitters and guides, restaurants and taverns, convenience stores, gas stations, shops, tourist attractions, and other establishments.
- The potential increase in participation in outdoor activities such as hunting, fishing, and wildlife watching and the economic benefits this may have in terms of licenses and entry fees.

6. *Are consistent with the property's legal and policy framework.*

In this evaluation, consider the following:

- The property's designation and land management classifications.
- Recent master plan decisions.
- Funding requirements and restrictions.

Definition of a Road for Inventory Purposes

Roads to be included in the inventory are defined as linear features that:

1. are **currently drivable** by typical 4WD pick-up trucks or sport utility vehicles, **AND**
2. will be drivable for at least the next several years, either because the department intends to maintain for staff or public vehicle use (e.g., it will be mowed or graded as needed), or because it is not anticipated to require active maintenance to be drivable, **AND**
3. have evidence of reoccurring or continuous past vehicle use over multiple seasons or for multiple purposes,

Intent: The intent of the definition is solely for inventory purposes. The definition is used to decide which linear features should be mapped where a typical four-wheel drive vehicle could use. The definition ensures that all permanent and seasonal roads, including Department service roads closed for public use, are inventoried. The inventory is designed to provide a comprehensive inventory of roads, based on current and past use. The inventory does not determine which roads will or will not be open for motorized use, or the future development level, nor should that be considered when deciding if a linear feature should be mapped. The inventory provides a comprehensive basis of current conditions as well as a basis for exploring options for future road designations including use and development level.

Guidance: The inventory includes all roads currently open for public use and roads closed for public use that are used for Department management purposes. All roads currently maintained, eg graded or mowed, must be included. Drivable is defined as able to traverse with a typical four wheel drive truck. Roads that are not formally maintained but drivable given past and reoccurring use, either for public use or department management use eg two tracks, should be inventoried. Roads that are not drivable due to vegetative growth/encroachment or trees over the road should **not** be inventoried. Conversely, ignore the presence of rocks, gates, berms or other access control structures at the beginning of the road; as long as the road meets the other criteria listed in this document, it should be inventoried. Recent temporary management roads, defined as roads used for a short-term use, eg timber sale, must be included if the road is still in a drivable condition.

Reoccurring and continuous use is defined as linear features used over multiple years in the same location to provide access for habitat management activities or monitoring purposes. Examples include fire lanes, pheasant stocking lanes, drivable dikes, access ways to remote recreation developments for emergency or enforcement purposes.

Dual purpose roads and trails should be inventoried, eg seasonal roads that serve as snowmobile trails in winter, either open for public vehicle use or for management purposes.

Designated trails are not linear features in the context of the road inventory and should not be included in the inventory. This includes designated trails that are drivable, and indeed are in fact often driven by Department vehicles for trail maintenance and management activities. Hunter-walking trails are not true designated trails as they have no defined trail standards yet are maintained and drivable; they should be inventoried.

Only linear features that the Department owns, in whole or part, and has decision making authority, for use and development should be inventoried. This includes easements and land use agreements for either public or Department use. Town and County roads should not be included in the Departments inventory, as they are inventoried by the local authority, however these roads will be used for planning analysis and public use maps.

Linear features may be mapped as multiple segments based on conditional changes but longer segments considering average conditions are desired. Many linear features, and associated attributes, can be mapped using existing data, local knowledge and aerial photography. Attributes will be collected for each linear feature to provide a description of current use and conditions.

Historic Abandoned Roads

The inventory **may** include old logging roads and wildlife opening access roads used for forest management purposes **that have signs of past use, but are no longer in a drivable condition or show recent signs of use**. These roads have generally grown in naturally with vegetation but still have visual indicators of an old road, including a different vegetation type or stage of vegetation development. These roads were typically used as temporary logging roads, sometimes only in frozen conditions. These roads are not mapped for public use as they are not drivable, barely recognizable or even walkable, and only used for management operations planning in the future. If these roads are used some time in the future for management purposes and become drivable they would become part of the road inventory for future access consideration. This category of roads generally will be second priority with collection of inventory data over a longer period of time.

Road Inventory Attributes

The road inventory will consist of a spatial component, i.e. a line on a map, as well as tabular data that will further describe the spatial component. The tabular data is referred to as attributes and each of the attributes will have values associated with them. Below is a listing of each attribute that will be required to define each road in the inventory; a definition, its values and additional information is listed. The attributes that are mandated for collection represent information needed for planning and evaluation of roads for motorized use. Additional attributes may be collected to meet specific program needs or desires but will not be required as a part of the standard DNR road inventory.

Attribute	Definition	Values	Comments
Road classification	Roads as defined in administrative code NR 44.07 (3) (a-d).	Primitive, Lightly Developed, Moderately Developed, Fully Developed	A key has been integrated into LMS to automatically assign the classification (value). Data entered for Surface Type, Cleared Width and Safe Driving Speed will determine the classification. Depending on the entry, not all fields will be required for entry, LMS will prompt the user.
Surface type	Material of the surface of the road.	paved (i.e. concrete, asphalt), aggregate (i.e. gravel), native	Values referenced in NR 44 road classifications.
Road Permanence	Intended length of service of the road.	Permanent, Permanent Seasonal, Temporary	Values defined in NR 44.
Cleared width	Cleared width is anything being maintained for that road (ex. shoulders, mowed ditches).	12' or Less, >12'	Values determine NR 44 road classification.
Public use	Documents the current public use of the road with cars and trucks.	Open, Closed, Open seasonally	Data on snowmobile and/or ATV use will be documented in a separate attribute. Roads that facilitate use via PDMD permits with no other public access are Closed to public use.

Dates Open	Range of time seasonal open roads are open to public use.	Date range by months.	Only to be populated if Public Use attribute value equals Open seasonally
Safe Driving Speed	At what speed can a vehicle safely operate on the road.	15 mph or less, more than 15 mph but less than 25, 25 mph or less, more than 25 mph	Values determine NR 44 road classification. Specific values are conditional to surface type selected. Based on the property manager's knowledge and experience with the road.
Condition	An assessment of the condition of the road.	Class 1, Class 2, or Class 3	<p>Value definitions adapted from <i>2010 Managed Lands Needs Assessment</i>.</p> <p><u>Class 1:</u> Roads are relatively smooth, without potholes, weeds, and overhanging limbs. Roads surfaces are in excellent to good condition. Paved roads have no longitudinal cracks and minimal transverse cracks. Roads are newly constructed or have new overlay or sealcoat. Little or no maintenance required. PASER rating of 8 to 10. Aggregate roads are covered by ¾ inch road gravel or equivalent and are graded at least annually, with gravel added as needed to maintain a level surface and to keep the base material from being exposed. The edges are mowed twice annually, and herbicide applications occur as needed to keep weeds and grass from encroaching.</p> <p><u>Class 2:</u> These roads are serviceable, but many people using the site may be disappointed by their condition. Roads have some ruts or potholes, but not so deep that people driving cars have to avoid these spots. There is vegetation encroaching into the road so it is smaller than originally designed and no longer the shape as originally designed. There are a few overhanging limbs that make people have to stay centered in the road to avoid trees and brush growing along the road. Road surfaces are in good to fair condition. Paved roads may have cracks or surface raveling and may require patching, crack</p>

<p>filling or sealcoating. Road surface shows signs of aging but sound structural condition. PASER rating of 4 to 7. Native surface sites have grass taller than 4 inches and may drag on low clearance vehicles if the road is open during the summer.</p> <p><u>Class 3:</u> These sites need major renovation, some vehicles may no longer use these road due to the condition. Paved roads show severe deterioration, significant cracking and potholes. Road surface and base/road structure are in need of extensive repair or replacement. Road may need complete reconstruction. PASER rating of 1 to 3. Gravel roads are either covered by vegetation so the site no longer appears to be a gravel road or there are numerous potholes and exposed base material so people need to drive around these defects. Native surface sites, they are mowed rarely or not at all. Overhanging limbs cause people to drive on to road shoulders to avoid scratching their vehicle.</p>		
ATV Access	ATV use is allowed on the road, may be seasonal.	Y/N
Snowmobile Access	Snowmobile use is allowed on the road, may be seasonal.	Y/N
Length	Length of road segment.	two fields: feet and miles Auto generated by LMS