

Master Plan Variance UTV Program

Property Name: Black River (BRSF), Flambeau River (FRSF) and Peshtigo River State Forests (PRSF)

Date Master Plan was Approved: BRSF - January 27, 2010; FRSF – September 22, 2010; PRSF – September 26, 2007

Variance to the Master Plan: The following provision is added to the ATV trail section of the master plan (BRSF pages 110-113), (FRSF pages 147-148); (PRSF page 67):

In 2009, the legislature established a utility terrain vehicle (UTV) pilot program which concluded on June 30, 2012. Due to the success of this program a permanent UTV program was authorized by the legislature starting July 1, 2012.

For Black River State Forest:

The Black River State Forest authorizes UTV use permanently on existing ATV trails. Seasons of use will be consistent with the Jackson County trail system.

For Flambeau River State Forest:

The Flambeau River State Forest authorizes UTV use permanently on existing ATV trails. Seasons of use will be consistent with existing ATV trail openings May 15th – November 15th but may be changed to be consistent with regional trail networks.

For Peshtigo River State Forest:

Based on the success of the UTV pilot program the Peshtigo River State Forest authorizes UTV use permanently on existing ATV trails. Seasons of use will be consistent with the Marinette County trail system.

Approved: _____

Paul DeLong
Administrator, Division of Forestry

Date: _____

6/27/12

SUPPORTING INFORMATION

Purpose and Need for the Proposed Variance:

Act 175, 2009 established a pilot program for testing the feasibility of allowing utility terrain vehicles (UTVs) on ATV trails. The statute directed the Department, in consultation with the Department of Transportation, to conduct a two-year pilot program to investigate the effects of using UTVs on ATV trails and routes.

All three state forests participated in the pilot program and found the addition of UTV to have minimal effect on the existing trail systems. The UTV pilot program is scheduled to expire on June 30, 2012.

Because of the statewide success of the pilot program the legislature authorized a permanent UTV program starting July 1, 2012. All three state forests named in this variance are seeking a variance to allow UTV to continue to operate on their trails with the new permanent program.

UTV were not a specifically authorized use under any of the state forest's master plan; therefore, a plan variance is required to allow UTV to be used on the BRSE, FRSE, and PRSE ATV trails. The Department interprets UTV as substantially similar motorized vehicles to ATVs.

Anticipated Primary Benefits of the Proposed Variance:

Designated ATV trails on Department lands are often part of regional ATV trail systems. The ATV trails on all three state forests are integral parts of a region-wide trail network that provides several hundred miles of riding opportunities. At each state forest the other partners in the regional trail system are participating in the permanent UTV program.

Additional Anticipated Benefits:

- Expanded opportunities for UTV owners to experience using their vehicles on expanded trail miles.
- UTV provide the continued opportunity for individuals who can no longer ride an ATV to be able to continue to enjoy the trails.
- UTV provide a safer option for individuals to enjoy the trails with young children
- Additional economic benefit, although likely small, to local communities in the vicinity of the trail.

Unavoidable Adverse Impacts:

Unknown. UTV use was very low compared to ATV during the pilot program. If UTV use significantly increases additional impacts may occur to the trails surface, as UTV are substantially heavier than ATV.

Because of the high use of ATV trails on the Black River State Forest, conflicts with ATV riders may occur, and safety risks may increase since UTV are larger and slower than ATVs.

Compatibility with Statutes, Codes and Department Policies:

The UTV program was established by state statute. UTV use on trails within the three State Forests is compliant with criteria established by the Department for participation in the program.

Federal Aid Limitations:

None.

How the Master Plan Supports the Proposed Variance:

The master plan designated motorized use and specifically ATV trails on all three state forests. UTV are seen as similar to ATV by the Department.

The Public Review Process Used:

The proposed variance was distributed email and hard copy using each property's public contact list. Contact lists include citizens, local units of Government, tribes, non-profit organizations, media outlets and user groups both motorized and non-motorized. The contact list is maintained by the property manager and is populated by past interest in master planning, annual meeting contacts and direct outreach. In addition, a number of statewide organizations interested and affected were sent information if they were not on one of the property's contact list. Information was posted on the Departments web page on May 14, 2012.

Description of the Support and/or Opposition to the Proposed Variance (including reasons for the various positions taken) and Any Unresolved Issues or Concerns:

One comment was received from the Wisconsin ATV Association (WATVA). WATVA was in favor of authorizing UTVs on the ATV trails permanently based on the success of the UTV pilot program and noted an appreciation for the DNR for their continuing efforts to develop solutions to possible adverse impacts and concerns. Local informal outreach by property managers indicated no concerns with authorizing UTV on existing ATV trails.