

DATE: February 13, 2008

TO: Natural Resources Board Members

FROM: Secretary Matt Frank

SUBJECT: Northern Highland – American Legion State Forest ATV Trail Alternatives Feasibility / Suitability Assessment and related information

The Department has for the last several years been engaged with stakeholders and the broader public in assessing both the opportunities for, and merits of, establishing ATV opportunities on the Northern Highland – American Legion (NHAL) State Forest. The current master plan for the NHAL was approved in 2005 with a directive to evaluate whether, and if so where, one or more ATV trails might be established on the NHAL, recognizing the high level of controversy about this issue. The 2005 NHAL master plan requires the Department to evaluate potential appropriate locations for ATV trails, considering their ecological, economic, and social impacts. Although ATV use is authorized in the master plan on designated trails, no trails were established at that time, recognizing that a significant amount of work was needed to assess where, if anyplace, ATV trails would be well suited for the property.

We are providing you information on the Department's feasibility / suitability assessment for the trail alternatives as well as information collected during the Stakeholder process and the public involvement that followed. Public comment will be taken at your March meeting, at which time we will also provide you additional data on the current status of ATV trails on state lands.

I. Property Description

The NHAL is located in central northern Wisconsin in Vilas, Oneida, and Iron counties. The NHAL State Forest is Wisconsin's largest state-owned property at 225,000 acres. The NHAL is used heavily for a wide range of recreation uses. The property hosts over two million visitors each year who come to enjoy the area's natural resources and scenic beauty. The NHAL is known for its high quality and quantity of lakes and rivers, with over 900 lakes and 300 miles of rivers and streams contained within the property boundary. In the summer, you can find visitors hiking, biking, boating and camping in the many well-developed recreational areas, as well as in more remote areas. The property's many recreation amenities and large land base make the NHAL one of the most sought after nature-based recreation destinations in the state. The NHAL does not currently have any designated trails for the use of ATVs, but it does host one of the highest concentrations of winter snowmobile trails in the state. Almost half of the land within the region is publicly owned in national, state, and county forests.

In addition to its recreational amenities, the NHAL also supports a diverse range of cover types and habitats. The property contains a high concentration of forested and unforested wetlands and water features, with lakes and streams covering 12% and wetlands an additional 17% of the property. These unique features provide habitat for a variety of fish, birds, insects, and plants including 14 threatened or endangered species and 79 rare species.

II. ATV Trail Alternative Summary

The NHAL State Forest ATV trail feasibility/suitability assessment and summary of public comments are attached for your review. Highlights of the trail alternatives include:

Oneida/Vilas Alternative

The trail is 49 miles in length (25 miles in Oneida County and 24 in Vilas County). It is a linear trail system with two sub-options to connect to local services. The trail starts south of Lake Tomahawk, and connects Lake Tomahawk to Sayner. The trail is generally located on existing state forest roads and/or snowmobile trails. Estimated development costs: \$5,410,000

Iron County Alternative 2 options in Iron County

Option A: The trail is 18 miles in length and connects to existing county, town and local municipality trails. About half the miles are on existing town roads, with 4 miles of state forest trails. Estimated development costs \$3,311,700.

Option B: The trail is 11.6 miles in length, 2.4 miles on existing town roads and 5.7 miles on existing snowmobile trail in state forest. Estimated development costs \$4,275,000.

III. Public Involvement

Public involvement in the trail alternatives process for the NHAL has been extensive over the past two years. It has involved 18 stakeholders' meetings, and numerous meetings with local and county governments, tribal representatives, cooperating agencies, interested organizations, and individuals. The Department engaged the public in the process of evaluating trail alternatives by sharing the results of the stakeholders' work and hosting three public information and input sessions. Over 2,500 comments were received on the trail alternatives. The Department has communicated and involved participants through progress reports, press releases, interviews, and a dedicated ATV trail alternative web site.

IV. Tribal Consultation

The Department worked with the tribes from the very start of the project to determine a consultation process. The consultation process was implemented with success including many meetings with tribal representatives, tribal public meetings and formal council presentations with the Voigt Task Force and Lac du Flambeau Tribe. The Voigt Task Force asked, the Lac du Flambeau Tribe to be the consultation mechanism which the tribe agreed to. The Lac du Flambeau does not expect to provide formal comments on this issue to the Department or NRB.

V. Feasibility/Suitability Conclusions

Based on the Department's initial trail feasibility/suitability assessment, it is clear that the trail alternatives considered the range of ecological, economic, and social considerations. Because of the NHAL's complex ecological conditions, a well developed existing recreational base, and the level of private in-holdings and public interest in the property, the identification of potential sustainable ATV trails on the property has been a challenge. A significant finding of the feasibility/suitability assessment is the fact that ATV use cannot be sustained on either trail alternative in present trail condition, except on some town roads. Substantial improvements, with significant costs, would be necessary to avoid, minimize, and mitigate environmental and social impacts stemming from summer ATV use. The two trail alternatives have opportunities and challenges associated with each. Below are the most significant findings from the Department's feasibility/suitability assessment.

Conclusions on the Oneida/Vilas Trail Alternative:

The Department recognizes that the trail identified in this alternative is located, to the extent possible, in upland areas to reduce the number of wetland and water crossings, which were identified as a primary concern and challenge for any trail in the NHAL. Given the fact that the property has a high number of dispersed lakes, wetlands, and streams, finding locations that do not cross wetlands or streams is

extremely challenging. A majority of the trail is located on existing forest roads open to licensed motor vehicles or existing snowmobile trails. The extent of the trail that passes through native community management areas is relatively small. The trail also does not directly cross any designated State Natural Areas, though it does border two of these areas.

Existing developed recreation areas are plentiful and widely distributed on the NHAL. Developed recreation areas were avoided to the best extent possible in this trail alternative, but in some instances could not be avoided. Locating the trail in proximity to existing recreation was weighed against other uses and impacts (water crossings, existing infrastructure, high conservation value forests, etc).

Compatibility with existing recreation use is a major element that needs consideration. The proposed trail location is in close proximity to a number of notable recreation developments where conflicts with other recreation users would be highly likely to occur. Potential areas of conflict include a paved bike trail near Sayner, three rustic campgrounds, and a complex of wild lakes known as the Bittersweet-Prong Recreation Area.

A notable attribute of the Oneida/Vilas trail alternative is the linear nature of the trail. The trail is a linear “dead-end” trail; it does not connect to any existing trails outside the property and there are limited options and no plans in the immediate future to connect the trail with other systems.

Although the proposed trail is linear in nature, it provides 49 miles of riding opportunities—long enough that the trail may be a destination point in itself. The trail is anchored at the north and south with two communities offering a range of services as well as access to a community in the middle. Additional desirable nature-based destination points are numerous along the trail. Estimated trail costs for this proposed trail are significantly more than the average cost to develop an ATV trail, reflecting recent increases in trail standards and the Department’s strong commitment to build trails to the highest standard.

Land ownership is a critical factor when determining trail use. The NHAL has 98,000 acres of private ownership within the state forest boundary. Although the entire trail segment is located on state-owned land, the trail is in close proximity to scattered private in-holdings and more developed residential communities (Lake Tomahawk, St. Germain and Sayner). In order to stay off private land the proposed trail has a large number of road crossings, including five on State Highway 47. For this reason, safety issues could be a concern on the trail during the summer season.

The principle environmental concern for the Oneida/Vilas trail alternative is the potential impacts to wetlands, lakes and streams that may occur as a result of trail construction and use. This alternative would require significant trail development including building up trail surfaces, and the construction of bridges and boardwalks for crossings. This alternative has 16 crossings covering 2.4 miles. Other ecological concerns include the proximity of the trail to areas of ecological sensitivity, including the fact that it borders two designated State Natural areas and includes six miles of trail through Native Community Management Areas.

Trail development costs include significant tread development, and bridge and boardwalk infrastructure. Although many portions of the trail have been previously modified by adding fill to accommodate minimal vehicle traffic, increased use would require significant trail improvements. Estimated cost of constructing this trail alternative is \$5.4 million for 49 miles of trail at an average cost of \$110,000 dollars per mile.

The economic impacts to local communities that may come about as a result of this proposed trail are difficult to determine and appear mixed. Some positive economic impacts to local businesses are expected, but these may come at the expense of displacing other users, which may negatively impact other businesses. The majority of local residents and businesses do not favor the trail. On the other hand, many private landowners, business, and local communities showed support for the trail via written comments and participation in public meetings.

Although the majority of those commenting opposed both trail segments, the Oneida/Vilas alternative is compounded by the strong opposition to ATV trails within Vilas County. Local opposition far outweighs local support, and support is generally from statewide ATV users.

Conclusions on the Iron County Alternative:

The Iron County alternative has many of the same opportunities and challenges as the Oneida/Vilas trail alternative, but is unique in other aspects. Foremost, both Iron County options connect to an existing trail network. The trail would create an additional loop connected to the east end of the existing Iron County network (over 200 miles), providing additional access points and riding opportunities on an already well used trail system. That said, the alternative does not connect two separate trail systems; it merely extends an existing system.

The trail is located on lands and roads owned and maintained by multiple units of government, including the county, towns, and state. There is generally support for ATV trails from Iron County and the towns in Iron County. It is important to note that this trail proposal relies on local towns to continue to support the designation of their roads as ATV routes. Loss of these designated routes would necessitate significant additional expense to build alternative trails across wetlands if the trail were to remain linked to the existing trail system in Iron County.

There is support from other large public land management organizations for the Department to provide ATV trails on state owned lands. This trail would demonstrate the Department's commitment to supporting and encouraging a regional trail network and the state's commitment to reducing the burden on other public landowners. However, some areas are more appropriate for trails than others, and public dollars may be more appropriate to support regional connectors rather than a loop trail extension such as the one proposed here.

Option A (18.5 miles) Approximately 85% of the trail would be located on existing infrastructure with raised roads owned and maintained by the towns. There are few private inholdings along the proposed trail, so impacts to local residents and communities are much lower than the Oneida/Vilas alternative.

There is support within the county from other large public land management organizations to provide ATV trails, and this trail would demonstrate the Department's commitment to supporting and encouraging a regional trail network. Further, in developing this trail the state would be an active partner in reducing the pressure of ATV use on other public landowners with existing trails.

The trail is located in the far northwest portion of the state forest, away from the most intensively used areas of the property. Existing recreation use in this area is generally low, with very few developments. The two most significant recreational uses likely to be impacted by this trail are an existing remote campground and river users on the Manitowish River. The trail would have to

cross the Manitowish River, a designated Scenic Management Area, in two places which will impact the experience of river users, though it should be noted that the river in this location runs very close and parallel to State Highway 51. The ATV trail would cross perpendicular to Highway 51 in two locations, both with some level of existing infrastructure.

The portions of the trail that are adjacent to State Natural Areas would be located on existing town roads.

Option B (11.3 miles) shares 5.2 miles of trail with Option A, but includes 2.4 miles of trail on town road and 3.7 miles on state forest trails currently designated for snowmobile use only. The designated snowmobile trail is located in the peatlands area, with a number of wetland and water crossings. This alternative does not affect existing recreation uses as does option A, and does not cross the same level of private in-holdings. However, it crosses a long stretch of ecologically sensitive wetlands, necessitating a significant amount of infrastructure to assure trail sustainability.

The average cost per mile of development is expected to be \$179,000 per mile because of the number of significant infrastructure developments that would need to be built, including two major bridge systems. Administration, maintenance, and monitoring would be challenging given it is located 23 miles from existing maintenance facilities. The majority of the public who were actively engaged in the process are also opposed to this trail.