

NORTHERN HIGHLAND AMERICAN LEGION STATE FOREST

ATV TRAIL ALTERNATIVES SUMMARY OF PUBLIC COMMENTS AND PARTICIPATION

JAN 2008

Introduction

The Northern Highland-American Legion State Forest (NHAL) has a long tradition of public use, with current visitation estimated at more than two million visitors per year.

Throughout the forest's recent master planning process, one topic, the concept of designating an ATV trail within the NHAL State Forest, was a divided and emotional issue. Controversy began in the late 1990's, with discussion continuing through the development of the forest's master plan in 2005.

The current master plan was approved in October of 2005 with the ATV issue remaining unresolved. At that time, the Natural Resources Board (NRB) directed the Wisconsin Department of Natural Resources (DNR) to establish a citizen stakeholder advisory group to study the potential for sustainable ATV trails in the State Forest and return to them with a recommendation. A stakeholders group was established in 2006 and worked for more than a year, culminating in the release of their report, the Northern Highland-American Legion Stakeholders' Sustainable ATV Trail Alternatives Report.

This paper provides a summary of the public's participation and comments as they reacted to the NHAL Stakeholders' Sustainable ATV Trail Alternatives report in 2007.

Review of Public Involvement and Participation

The Department of Natural Resources worked for a balanced representation of public and private interests as they requested participation for the citizen stakeholder group. Of the organizations contacted, seventeen groups became involved and nominated representative members.

The stakeholder group scheduled 18 open meeting sessions and several field trips from April 2006 to July of 2007. During this time, an internet website documented their work, and also presented study papers, maps, meeting minutes, and related information for public viewing. To view this work, visit the website: http://dnr.wi.gov/master_planning/nhal/

In September of 2007, a report of the stakeholders' work was completed. Six hundred copies were published and distributed to individuals who expressed an interest in the ATV issue. Three public informational meetings were scheduled by the DNR from September 17-19 in Wausau, St. Germain, and Manitowish Waters, Wisconsin. Together, more than 700 citizens attended the meetings. Nine members of the media covered the event. DNR personnel, a UW Extension educator, and a member of the Natural Resources Board participated. Local year-round and seasonal residents, plus visitors from cities throughout Wisconsin attended. Public comments were collected and 1100 public input booklets were distributed.

A public comment period was held from September 15-November 1, 2007 to receive input on the ATV Stakeholders' Sustainable ATV Trail Alternatives report. In total, 2,893 comments were received. More than a thousand individuals completed public input forms online at an interactive web page. An equal number mailed public input booklets, letters, and notes. Some made contact by phone or personal visit, and 600 comments arrived by email. Input came from nearly 400 zip code locations throughout Wisconsin. Individual comments were also received from 22 other states and Ontario. One local petition with over 400 signatures, and two lake association resolutions were submitted.

A DNR technical team was engaged to evaluate the NHAL Stakeholders' Sustainable ATV Trail Alternatives Report and produce a feasibility /suitability study. The results of their work, the stakeholders'

report, and a summary of the public's comments will be presented to the Natural Resources Board for their evaluation in February, 2008.

The Issues

The public is strongly divided on whether or not to develop one or more ATV trails on the NHAL. A majority of the public comments received oppose the ATV trail alternatives, with some writers stating that “nothing positive” can be said for them. Many respondents felt that ATV use on the property would lead to natural resource damage, illegal use of ATVs on nearby private lands, and an inability and insufficient funds to enforce rules and monitor impacts. Some describe the issue as one of short-term enjoyment vs. long term preservation of something irreplaceable.

On the other hand, ATV enthusiasts expressed the hope that trail riding opportunities will be established in the state forest. These respondents feel that the state has an obligation to accommodate growing ATV demand. In addition, they feel that ATV trails on the property will expand local tourism to benefit the economy. They are anxious to expand ATV riding opportunities for citizens of Wisconsin, and believe adequate funding is available. They are optimistic about the potential to use already-disturbed corridors for trail development—primitive woods roads, abandoned railroad grades, and power line rights-of-way. These respondents felt that local clubs would be ready and willing to volunteer as trail ambassadors, safety educators, or for other tasks. Some acknowledge “negative growing pains” of an evolving sport, but feel problems can be overcome with adequate engineering, enforcement, and education.

“The Northwoods”

People describe the area in and around the Northern Highland-American Legion State Forest as synonymous with “the Northwoods”—a place rich in character and ambiance. In their comments they use terms like “differentness” and “wilderness” to try to capture the unique quality they experience in this location. The phrase “peace and quiet” is repeated time and again as people describe this Northwoods quality as the key attraction for residents and visitors alike.

Some declare the Northwoods' uniqueness is rare in comparison to more developed areas of Wisconsin, and is diminishing in quantity and quality. They see ATV trail alternatives as a threat to the Northwoods character they have come to know and love and fear that allowing ATVs in the forest would permanently alter the character of the region

Quality of life is expressed as part and parcel of Northwoods appeal and attraction. Some say the concept of establishing an ATV trail in the NHAL spoils the mental image they associate with the state forest, and say this affects their mental and emotional health. They have concerns that noise and air pollution will affect the health and wellness of local residents. Some residents warn of ATV impacts year-round or during seasons when natural resources are most vulnerable. Others describe ATV trails as an invasion of privacy or a threat to their property rights.

Some Northwoods residents say the setting (Oneida, Vilas, Iron counties) is no longer rural and remote due to user conflict and confrontation, safety issues, congestion, and existing disturbance from a concentration of activities and resource development. They describe existing impacts from motorized uses—jet skis, snowmobiles, and illegal use of ATVs on the NHAL and private property and add that ATV trails will compound over-use and development.

The Northwoods region is described as a unique and long-established culture. Local residents say they are the “primary stakeholders” who are affected by changes to the area. They see the ATV issue as a question of social acceptance that affects all spectrums of society. Both resident and non-resident ATV enthusiasts say they simply want to experience the Northwoods by participating in their chosen sport. They value what

the Northwoods has to offer, and say that most riders respect and value the natural resources of the region—they do not want to be judged by the actions of a minority of irresponsible riders.

Access and Demand

Without a doubt, demand for ATV use is growing. Many comments discuss significant increases in ATV sales, registrations, and trail use. ATV riders are concerned that opportunities for trail development will decrease as public lands become more crowded and other activities compete for the same forest locations.

Those who support ATV trail alternatives say the issue is one of public access to a publicly-owned resource. ATV enthusiasts assert that they are taxpayers who also pay ATV registration fees and gas taxes—money that, they believe, should support their presence on public lands. They feel that public lands should offer multiple-use opportunities, particularly a property as large as the NHAL. County forest managers encourage the state forests to share in accommodating this demand.

Some ATVers view the NHAL ATV trail alternatives as a positive means of enhancing user satisfaction, with potential to offer other opportunities such as trail interpretation, rider education, or research. ATV enthusiasts want the opportunity to experience the forest and view forest resources—wildlife, flora, scenic vistas—while pursuing their individual sport. ATVers want to connect existing or future trail corridors to link counties and services. They seek opportunities for individuals, families, and group trail rides. Local riders want more trail miles available close to home to reduce trailering their machines. Some desire more motorized opportunity for aging recreationists and riders with disabilities.

Other motor sport enthusiasts, e.g. dual-sport motorcyclists, also express an interest in using any new trail corridors that are developed. Four-wheel drive truck users want to maintain the access they have to some forest corridors for hunting and other pursuits.

Economic Impacts

Many respondents cited economic development and tourism as reasons to develop ATV trails within the NHAL. Trail supporters tell of a need to expand tourism sales to supplement recent poor snowmobile seasons. The public speculates that both positive and negative impacts to local businesses and property values might occur from the development of these trails. While some local business owners desire ATV customers, others say ATVs are a threat to their livelihood as they market to clientele who prefer the quiet attraction of the Northwoods.

Some people caution that desire for tourism at any cost should not be the deciding factor for establishing an ATV trail. They discuss short-term economic gain versus long-term impact to communities, natural resources, character, and culture of the Northwoods. Others tell of a Northwoods market already saturated with tourists.

The public also discussed relative costs of ATV trail development. Some argue that infrastructure, including boardwalk, bridge, and trail construction, sustainable trail bed, and ongoing management, maintenance, or remediation, is excessive. Others question whether the economic benefits of an ATV trail outweigh other costs—potential risk to natural resources, cultural change to local communities, safety issues—and whether the trade-off is worthwhile. Increased funding and staffing for county law enforcement and state forest operations is a suggested need.

Environmental Quality

The most common concerns among public comments were the environmental impacts of ATV trail development and use. Numerous responses included news clippings that refer to cases of environmental damage from ATV abuse.

The public's list of potential environmental concerns include: unacceptable sound levels, aesthetic disturbance, invasive species introduction, air pollution from dust and engine exhaust, soil erosion and trail rutting, sedimentation of lakes and streams, disturbance of wildlife and nesting birds, habitat degradation, damage to trees and plant communities, and disruption of ecologically sensitive natural communities.

Although the stakeholder group made a concerted effort to locate trail alternatives that avoid the most sensitive areas of the forest, many people expressed a fear that ATV trail development could cause damage to those sensitive ecosystems and resources that are in close proximity to the trail. Specific areas of concern include wetlands, wildlife habitat, eagle and osprey nest sites, unique and protected native communities and adjacent natural areas, rare and sensitive species, and high quality lakes and streams.

Law Enforcement and Emergency Services

There is public concern that staff time and dollars would not be adequate for enforcement and trail maintenance should ATV trails be developed. Public comments note a poor track record of illegal ATV use, and say some riders are prone to wandering off designated trails. The public is also concerned about safety and liability. They refer to statistics of ATV injuries and deaths widely reported in the news. There is particular concern about ATV crossings of bike trails and highways. Northwoods residents worry ATV accidents will overburden local emergency services and volunteers.

Those supporting ATVs say negative conduct on trails can be addressed using ATV trail ambassadors, State Forest Rangers, DNR wardens, educational signage, and trail design. ATV organizations state that they have a trained cadre of trail patrol officers and safety instructors to assist in this effort.

User Conflict

Some comments state there are limits to public land development and use—that the NHAL State Forest can't be all things to all people. They question whether ATV use, an intensive form of recreation, is appropriate and compatible with public lands. Some propose putting ATV trails on private lands rather than public. Others say enough ATV trail miles are available elsewhere in counties and public forests throughout Wisconsin.

A key concern of some people is that a variety of outdoor pursuits could be affected by the activity of a single interest group. Numerous comments state that ATV trails will displace or conflict with existing state forest activities such as birding, camping, canoeing, kayaking, hiking, hunting, trout fishing, berry picking, walking, biking on established trails, and enjoying nature's tranquility.

Similarly, some comments predict that the presence of ATVs will drive away people who seek solitude and/or silent sports. One person stated, "The temptation is to site trails where they will cause the least conflict and this often is the last remaining silent area of the forest."

The importance of local ATV legislation was also noted. Vilas County prohibits the use of ATVs on town roads and county forest lands. In addition, a number of resolutions put forth by lake associations oppose ATV trails. Although the Vilas Co. referendum applied to county forest land, many feel the overall sentiment of voters is to have an ATV-free county.

ATV groups state that they are working to educate people to "follow" the rules. They say ATVs are now designed to be safer and quieter, and most machines have cleaner operating 4-cycle engines. ATV enthusiasts state that multi-use trails are possible, and forest users can learn to tolerate each other's activities.

Stewardship

Some public comments describe ATViing as an issue of long term stewardship of natural resources versus short term benefits for a select group. More than one individual questions how an ATV trail system would enhance the Northern Highland-American Legion State Forest. They encourage preserving wild and pristine areas of the forest and no motorized development as an alternative.

Some comments question whether ATV trails are compatible with the Department of Natural Resource's mission, master plan management designations, or the State's tradition of commitment to protecting wild resources. Some believe that intensive recreation within the state forest is in opposition to the original designation of the NHAL to protect northern watersheds.

Other Issues

ATV trail supporters state that a sustainable trail bed is possible if engineered properly, and say there are examples of this construction.

A number of people recommend pursuing opportunities for mutual cooperation and partnerships among recreational user groups for cost sharing, and trail, road, or wayside maintenance. Groups that may support this include snowmobile clubs, ATV clubs, town and county governments, DNR, DOT, or other agencies.

Another suggestion is to develop an ATV trail in sections over time to spread out costs, improve construction techniques, and ease social acceptance. The public asserts that trail inspection, monitoring, and evaluation are key to trail management and acceptance. To this effect, it is important that the state forest have trail opening and closing authority, and increased funding and staffing for enforcement and management. Seasonal use periods would help fit ATV use with hunting seasons and avoid snowmobile use conflicts.

Some respondents recommend exploring other locations for trails or confining ATVs to private lands where admission fees pay the way. Some comments declare the trail is not sustainable because it encourages use of non-renewable resources, gas and oil, and contributes to greenhouse gases and global pollution.

Trail-Specific Public Comments: Oneida/Vilas & Iron County Trail Alternatives

Oneida/Vilas ATV Trail Alternative

Positives:

- Less distance to travel and trailer to trails for local ATV enthusiasts
- Access to nearby camping, lakes, and other recreational pursuits
- Access to local business communities and services, Lake Tomahawk, and St. Germain
- Provides opportunities for ATVerS to experience scenic forest areas where none currently exist
- Could be a start for future trail expansion north to south
- Uses established vehicle travel corridors
- Good effort by stakeholders to design a trail that avoids sensitive resources and locations
- Adds more miles to State ATV trails system
- Less bridge and boardwalk construction needed; fewer wetlands than Iron County alternative

Negatives:

- Water quality and fishery considerations at the crossing of Plum Creek, a Class A trout stream
- Strong opposition of many Vilas County residents

- Safety concerns about the number of highway crossings
- No link to existing trail systems
- Within audible range of several state campgrounds, wild lakes, and subdivisions
- Travels through sensitive ecosystems, including the Central Highlands and Star Lake Crescent Macrosites
- Proximity to Tomahawk Lake Hemlocks SNA, Plum Lake Hemlocks SNA, Bittersweet Lakes SNA, Lake Laura Hardwoods SNA
- Potential for user conflicts with diverse existing recreational uses
- Potential conflict with St. Germain Bike trail and existing uses on the Highway 47 rail corridor

Iron County ATV Trail Alternative

Positives:

- Offers scenic views and opportunities for ATVerS to experience wild country
- Provides access to the Iron County trail system
- Provides access to Mercer, services, and facilities
- Location uses mostly existing corridors and snowmobile routes
- Expands riding choices in the Mercer /Manitowish Waters area
- Iron County already embraces ATVerS
- Trail loops and connects to established ATV trails
- Disturbs less total forest area than the Vilas/Oneida trail alternative

Negatives:

- Crosses the Manitowish River, designated as a scenic corridor and “outstanding resource water”
- Numerous wetland crossings required
- Many bridges and boardwalks needed with expensive engineering
- Nearness to Discovery Center activities
- Risk of introducing invasive species to numerous wetland communities
- Potential user conflict with use of Highway 51 wayside
- Travels near various State Natural Areas (SNAs) including: Du Page Lake and Pines, Du Page Lake Peat lands, Toy Lake Cedar and Ash Swamp, North Bass Lake, and Hemlock and Bog SNA