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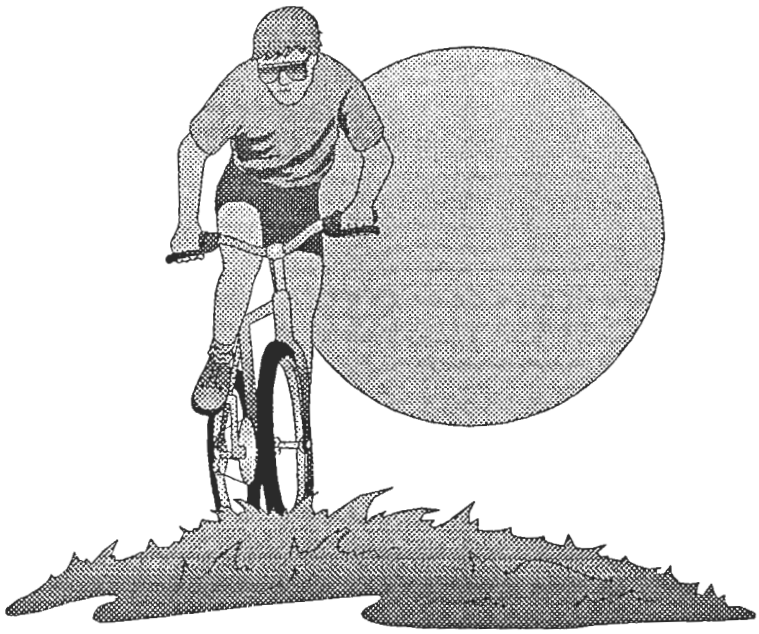
TOMORROW RIVER STATE TRAIL



MASTER PLAN 1997

TOMORROW RIVER STATE TRAIL
MASTER PLAN
1997

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SECTION 1.0 INTRODUCTION AND EXECUTIVE SUMMARY

This Master Plan presents a comprehensive strategy for the development, operation, and maintenance of a 17.1 mile State trail, located primarily along an abandoned railroad line between the Village of Plover and the Portage/Waupaca County line, which will provide for a variety of outdoor recreational activities. The trail traverses diverse glacial terrain, in a predominantly agricultural setting. Right-of-way was purchased from the Fox Valley and Western Railroad (FVWR) by the Wisconsin Department of Natural Resources (WDNR) in 1997, under the federal Rails-to-Trails Program. The WDNR purchased land to the easternmost point of rail abandonment near the Village of Scandinavia, in Waupaca County. However, the Waupaca County segment will initially be land-banked and left undeveloped, due to a lack of support for the trail by the Waupaca County Board.

Portage County will develop, operate, and maintain the trail, in accordance with a Memorandum of Agreement (MOA) with the WDNR. Uses to be permitted on the trail include hiking, bicycling, snowmobiling, and cross-country skiing, with horseback riding and dog sledding to be allowed subject to periodic review by the Portage County Park Commission. All terrain vehicles (ATV's) and hunting will not be permitted.

The trail will be developed in 2 phases. Initial development will include grading and development of the trail surface, providing parking, installation of railings, signs, gating at road crossings (to control access by motor vehicles), and fencing, where appropriate. Existing public parking areas, restrooms, and drinking water facilities will also be utilized. The trail may be open for use as early as 1999, subject to the timing of approval by the WDNR and the availability of grant funds. Long-term development will occur as demand, opportunity, and funding permit and will include nature observation areas, interpretive signs, and additional rest areas.

The trail is expected to help satisfy a need for trail-oriented, outdoor recreational opportunities in Portage County and the central Wisconsin area.

The preparation of this Plan represents a cooperative effort between the Portage County Park Commission and the WDNR. Extensive public comment and involvement have been solicited and received.

SECTION 2.0 LOCATION AND DESCRIPTION

The 17.1 mile trail is located primarily on the abandoned right-of-way of the FVWR rail line, between the Village of Plover and the Portage/Waupaca County line (see location maps). The Village of Plover is situated on the southern end of the Stevens Point Urban Area, in central Wisconsin. The Stevens Point Urban Area has a total population of approximately 40,000 and is readily accessible via Interstate Highway 39 (I-39) and U.S. Highway (USH) 10, both of which are part of the State's planned "Corridors 2020" backbone system of interconnected, multilane, divided highways. Besides the following description, recreational facilities linked by the trail are discussed in Section 4.4(A) of this Plan.

The trail corridor is divided into 3 segments, for descriptive purposes only, as follows:

Section 2.1 Village of Plover Segment

The Portage County Park Commission's preferred alternative is to establish the westernmost trailhead at the Woyak Baseball Complex/Village of Plover Park. The trail would extend eastward, paralleling Cedar Drive, then southward along the Green Circle State Trail, which parallels Hoover Road, to the FVWR rail crossing. At that point, the trail would extend eastward to Kennedy Avenue, paralleling an active segment of FVWR track. The WDNR has completed the purchase of a trail easement along this active segment of rail line, thus creating a connection between the Green Circle State Trail, at Hoover Road, and the nearest point of railroad abandonment at Kennedy Avenue. This route passes commercial and industrial properties, as well as irrigated farmland. Public road crossings occur at Hoover Road, I-39 (underpass), Eisenhower Road, Twin Towers Road, and Kennedy Avenue.

It is undetermined, at the present time, if it is feasible to link the trail with the Woyak Baseball Complex. Accordingly, the Park Commission will consider establishing the westernmost trailhead in the Village of Plover's Industrial Park, near the intersection of Twin Towers Road and Water Way. The trail would then follow the WDNR easement eastward, paralleling the active FVWR line, to the point of rail abandonment at Kennedy Avenue.

Section 2.2 Town of Stockton Segment

This 6.8 mile segment of the trail begins at Kennedy Avenue, which presently represents the municipal boundary between the Towns of Plover and Stockton. At this point, the trail enters predominantly agricultural lands, including both irrigated vegetable production and dairy farming, interspersed with woodlands and nonfarm homes. The trail corridor traverses rolling terrain formed by a series of terminal and recessional glacial moraines, interspersed with nearly level outwash plains. This segment passes through the unincorporated community of Arnott, at the CTH J crossing, but does not adjoin any other communities, public parks or recreation areas. However, this trail segment does pass approximately 1 mile north of

Standing Rocks County Park. Additional grade crossings exist at Custer Road, Tower Road, 4th Street, Smokey Road, CTH K and Town Line Road.

Section 2.3 Town of Amherst Segment

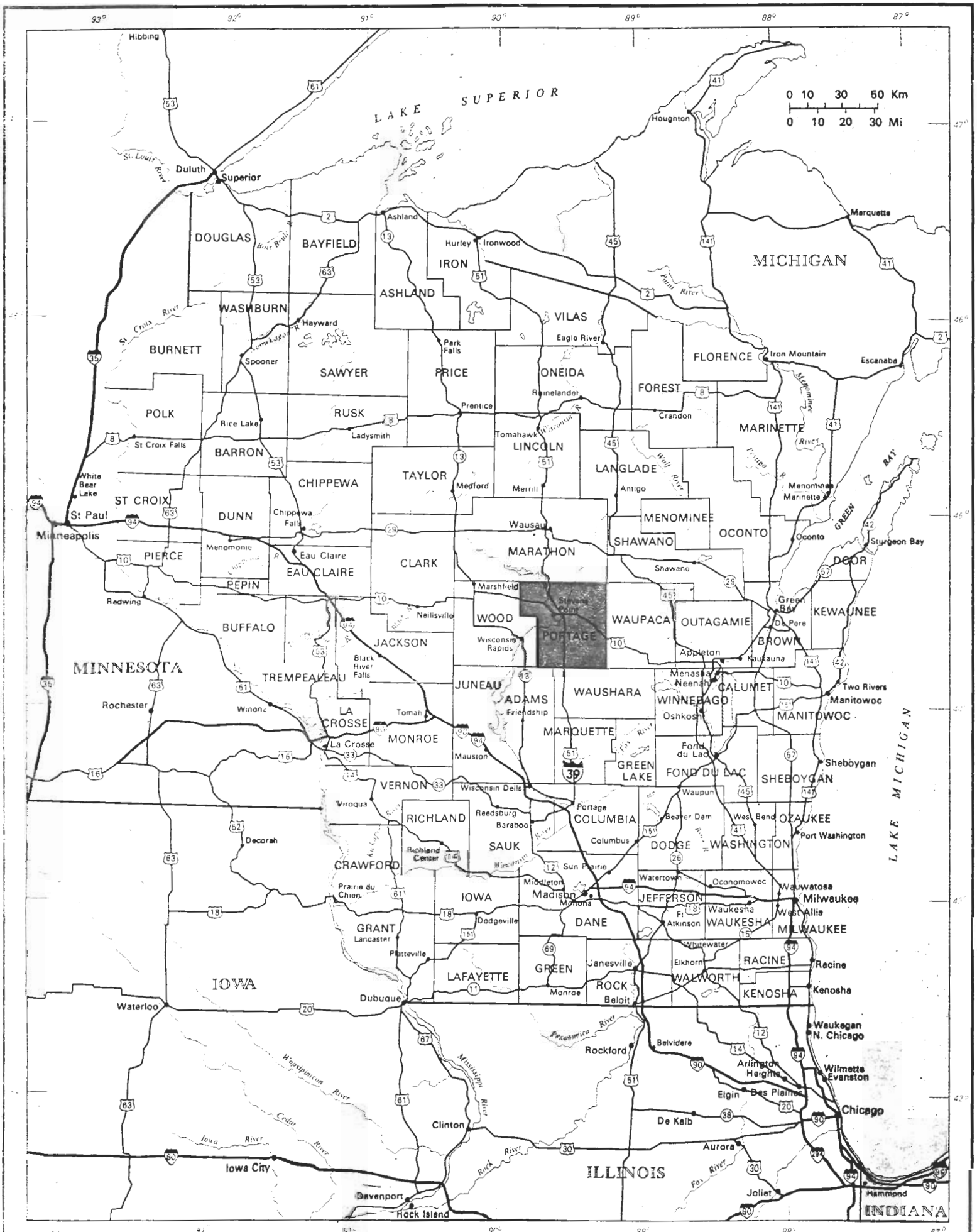
This 7.9 mile segment begins at Town Line Road, which represents the municipal boundary between the Towns of Stockton and Amherst. The trail passes eastward, through the unincorporated Town of Amherst, traversing glacial terrain and land uses similar to those encountered in the Town of Stockton Segment and ends at the Portage/Waupaca County line. The Town of Amherst Segment is distinguished, however, by its linkage with several waterbodies and parks. The trail abuts the southern boundary of Lake Emily County Park and, after crossing the Tomorrow River via a culvert, also abuts the northern boundary of Cate County Park. This is undoubtedly the most diverse segment of the trail. The old railroad bed follows a more meandering course, with fewer long straightaways. The planned trail corridor also passes through the Village of Amherst Junction, a community of 266 residents and passes ½ mile to the north of the Village of Amherst, a community of 860 residents.

The FVWR has retained approximately ½ mile of active line in and near the Village of Amherst Junction to serve a local shipper, including the trestle over the present USH 10 route (construction of a highway bypass is proposed). Accordingly, the WDNR has purchased easements from the FVWR and the Wisconsin Central Limited Railroad, along these active lines. However, continued use of the trestle by the FVWR will preclude its use as a trail crossing point and will create a gap in the trail corridor. Alternatives are being studied for a trail crossing on the present USH 10 route. The Portage County Park Commission will consider the interim use of public roads as a means of circumventing this gap in the trail, to provide a continuous trail corridor (see Section 4.11(G)). Other road crossings include Edgewater Drive, Lake Drive, Main Street, 2nd Street, Alm Road, CTH A, CTH T, CTH B, and Elkins Road.

Section 2.4 Scope of Project

The scope of this Master Plan includes only that portion of the trail corridor that lies within Portage County. That portion of the abandoned railroad right-of-way purchased by the WDNR, which lies within Waupaca County, is not addressed in this Plan. The WDNR has indicated that the Waupaca County segment will remain undeveloped, until formal approval is received from the Waupaca County Board.

LOCATION MAP - PORTAGE COUNTY, WI



Topography

Portage County, Wisc.

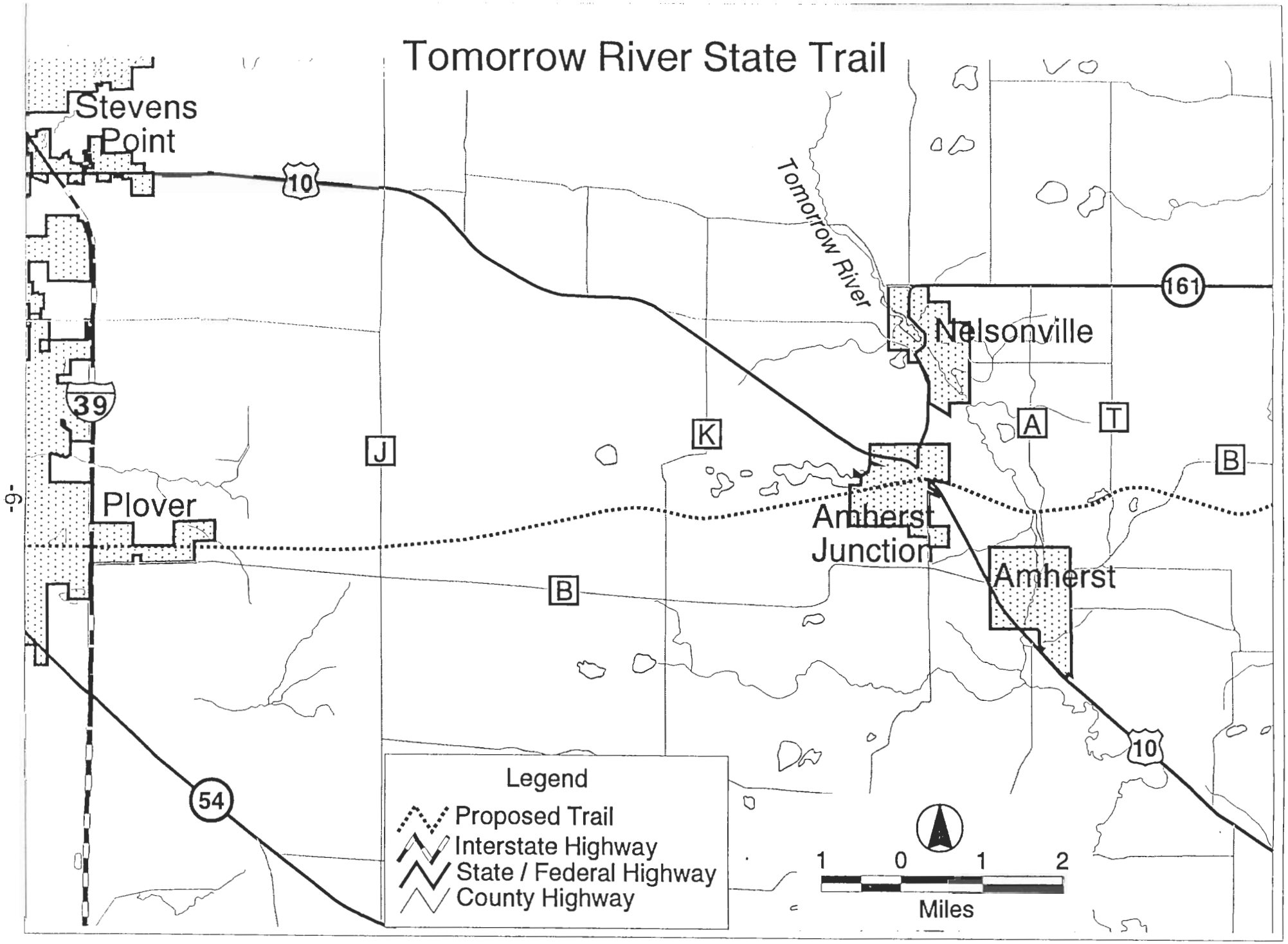
0 1 2 3 4 5
scale in miles

elevation in feet above mean sea level

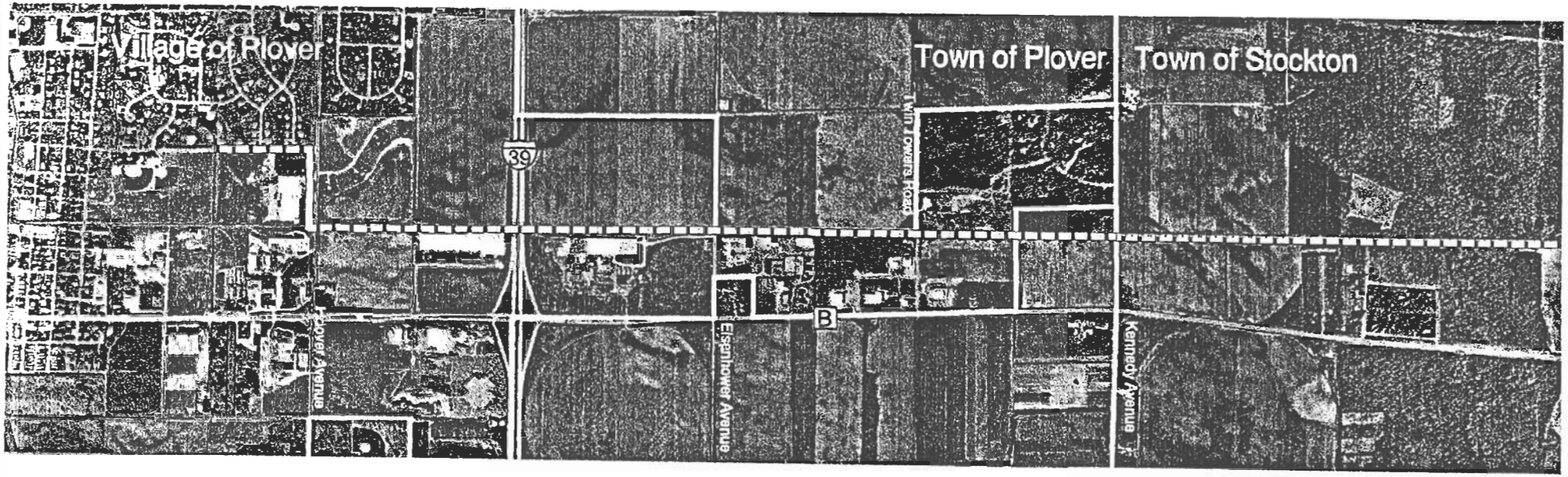
above—1200
1150—1200
1100—1150
1050—1100
1000—1050
below—1000

highest point * highest mean sea level elevation

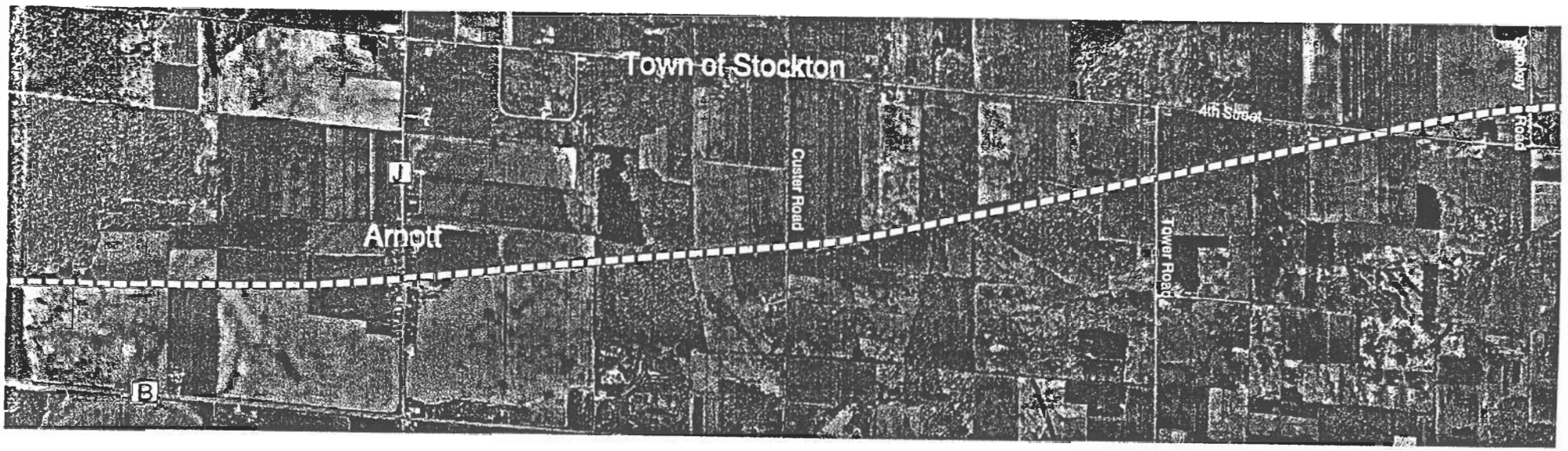
Trail Corridor - - - -


Tomorrow River State Trail
Stevens Point
10
Tomorrow River
161
Nelsonville
39
J
K
A
T
B
Plover
Amherst Junction
Amherst
B
10
54
Legend
Proposed Trail
Interstate Highway
State / Federal Highway
County Highway
1 0 1 2
Miles

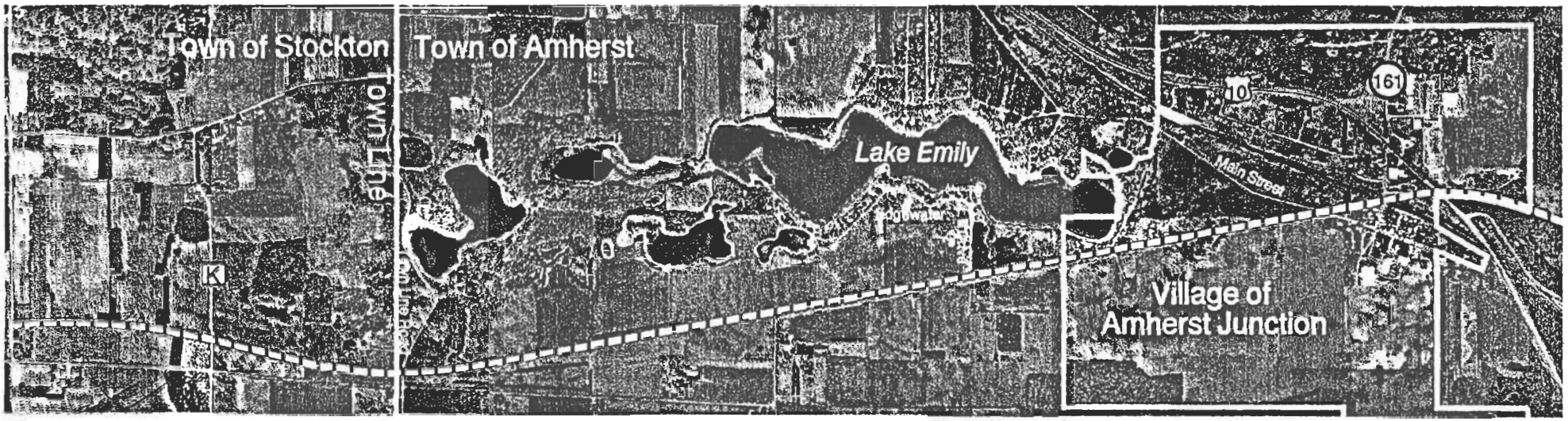
Tomorrow River State Trail



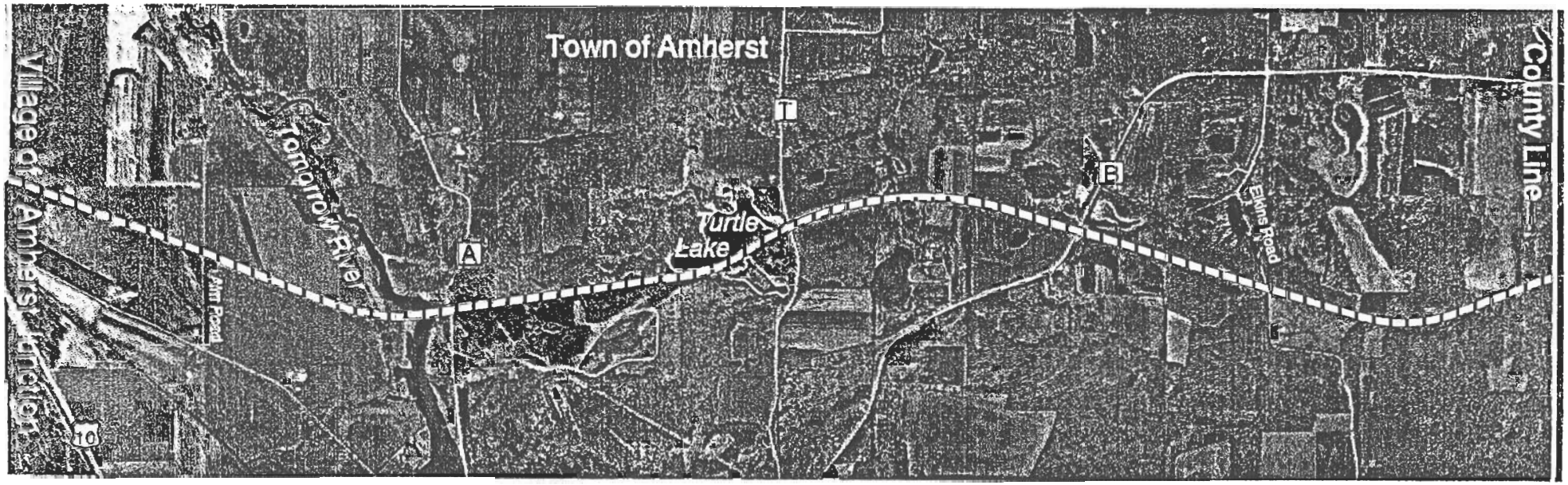
Trail Corridor



Tomorrow River State Trail



Trail Corridor



SECTION 3.0 GOALS AND OBJECTIVES

The goals and objectives of this Plan represent a commitment to the future of public recreation in Portage County and the State of Wisconsin. Goals are general expressions of the long-term values and needs of the County and State. Objectives identify specific means of accomplishing a goal(s). All other aspects of this Plan should be in general conformance with the goals and objectives contained herein.

Section 3.1 Goals

PROVIDE 17.1 MILES OF MULTI-USE, MULTI-SEASON STATE TRAIL, IN A COOPERATIVE EFFORT BETWEEN STATE AND PORTAGE COUNTY AGENCIES AND OFFICIALS, AS WELL AS LOCAL LANDOWNERS. OPERATE AND MAINTAIN THE TRAIL IN A MANNER THAT WILL PRESERVE THE ENVIRONMENT THROUGH WHICH IT PASSES, ENSURE ITS CONTINUED USE FOR FUTURE GENERATIONS, AND PRESERVE THE RAILROAD CORRIDOR FOR FUTURE TRANSPORTATION USE, IF NEEDED.

Section 3.2 Objectives

1. Provide necessary trail improvements to accommodate multiple usage by bicyclists, hikers, snowmobilers, and cross-country skiers, with horseback riders and dog sledders accommodated subject to periodic review by the Portage County Park Commission.

2. Provide support facilities necessary to ensure safe and sanitary conditions for trail users including, but not limited to, parking areas, restrooms, drinking water, picnic areas, and directional/informational signs.

3. Provide linkages or connections to existing or proposed trails, parks and any other public recreational facilities, where deemed appropriate.

4. Develop and manage the trail to reduce potential conflicts between trail users and adjoining landowners. Provide fencing, on a cost-sharing basis, where necessary to confine livestock on properties adjacent to the trail and where fencing will provide the principal deterrent to public access to fields where aerial spraying currently occurs. Portage County will pay for 50% of the fencing costs, based on State code requirements for a four-strand barbed wire fence. This policy shall not be applicable where fences already exist. Landowners participating in cost-sharing for fences will be responsible for maintenance of said fences. Establish a Trail Fencing Advisory Committee to prioritize fencing needs on other lands and address any such needs as funding allows.

5. Use trail development and maintenance techniques that will reduce impacts to vegetation and wildlife.

6. Provide accommodations for disabled individuals, as required by law.

7. Use available federal and State grants to help finance trail development; utilize user fees to help offset operation and maintenance costs.

8. Encourage private sector participation in trail operation and maintenance, such as the establishment of a "Friends" group or "Adopt-a-Trail" program to provide volunteer labor for routine cleanup or maintenance.

9. Preserve the corridor for possible future rail service, by precluding private ownership or development.

10. Provide opportunities for the public to participate throughout the planning process.

SECTION 4.0 TRAIL MANAGEMENT AND DEVELOPMENT PLAN

Section 4.1 Land Acquisition and Ownership

The railroad right-of-way in question was acquired by the WDNR from the FVWR in 1997, under the National Trails System Act. The WDNR has paid all costs to acquire the property and will maintain ownership. The WDNR has completed the purchase of a trail easement from the FVWR, along an active portion of rail line in the Village of Plover. This is intended to provide a connection between the preferred location for the westernmost trailhead, at the Woyak Baseball Complex, and the point of railroad abandonment at Kennedy Avenue. If a connection to the Woyak Baseball Complex is not feasible, the WDNR will attempt to purchase approximately 7 acres of land in the Village of Plover Industrial Park, for an alternative parking area and trailhead.

The WDNR has also purchased a trail easement along ½ mile of active Wisconsin Central Limited Railroad and FVWR rail line in the Village of Amherst Junction. The WDNR will attempt to acquire about 5 acres of land in the Village, for a parking area. Additional property may be acquired by the WDNR in other locations, to enhance and support the trail, as future needs may determine and funding allows.

Section 4.2 Designation of Trail

The trail will be designated as a "State Trail" and will be managed as a component of the State Trail System.

Section 4.3 Use of Trail

A. Permitted Uses

The following recreational activities will be permitted on the trail:

1. Hiking
2. Wheelchairs
3. Bicycling
4. Snowmobiling will be permitted on those segments of the trail where a linkage with State funded or local club snowmobile trails will occur. A speed limit of 55 m.p.h. will be posted on the trail, except where lower speed limits are required within individual municipalities or where otherwise warranted, e.g., close to houses, on curves, etc.
5. Cross-country skiing
6. Horseback riding (subject to periodic review by the Portage County Park Commission)
7. Dog sledding (subject to periodic review by the Portage County Park Commission)

All permitted uses will be restricted to published trail use periods and hours of operation. Facilities necessary to promote trail use will also be permitted within the right-of-way, including but not limited to, parking areas, restrooms, picnic areas, informational/directional signs, and access control gates to be installed by Portage County at road crossings. In addition, private fencing and gates along the trail right-of-way will be permitted, except that private gates may not be used to block the trail corridor. Private trail crossings will be permitted, subject to WDNR guidelines. Pets will be permitted only on leashes, consistent with existing regulations pertaining to pets in Portage County parks.

B. Prohibited Uses

The following recreational activities will be prohibited on the trail:

1. Hunting (firearm and bow)
2. All terrain vehicles (ATV's)
3. Motorized vehicles, other than snowmobiles, electric wheelchairs, and maintenance or emergency vehicles
4. Any other uses not listed as permitted, except where a specific use is determined to be substantially similar to a permitted use or is otherwise found to be appropriate by the Portage County Park Commission and the WDNR

Section 4.4 Development of Trail

The MOA between the WDNR and Portage County (see Appendix A) specifies that development of the trail is the obligation of the County. The MOA further stipulates that the trail must be developed and operational within 5 years of the final approval of this Master Plan, as funding becomes available. The trail will meet or exceed the WDNR trail standards. Trail development will occur in an initial phase and a long-term phase. Portage County will also make use of existing facilities.

A. Use of Existing Facilities/Linkages

The trail will make use of those existing recreational facilities with which it links or connects. Village of Plover park facilities at the Woyak Baseball Complex may be used to provide parking, restrooms, and drinking water, if the westernmost trailhead is established at that location. Swimming, picnicking, fishing, camping (49 sites), and restrooms are available at Lake Emily County Park, a 143-acre facility on the western border of the Village of Amherst Junction. Picnicking, parking, and fishing are also available at Cate County Park, a 9-acre facility located on the eastern shore of the Tomorrow River/Amherst Pond. The trail will also provide direct linkage with the Green Circle State Trail, the Ice Age Trail, and the County snowmobile trail system.

The trail will provide indirect linkage with Standing Rocks County Park, which is located about 1 mile south of the trail corridor and accessible via the Ice Age

Bicycle Trail. The Park encompasses 524 acres on Bear Lake and offers downhill and cross-country skiing, off-road bicycling, hiking, and restrooms. Hartman Creek State Park, located in the southeastern corner of Portage County, lies within about 10 miles of the Amherst Junction trailhead.

B. Initial Phase of Trail Development

The initial phase of trail development will focus on the following elements:

1. The Portage County Park Commission's preferred alternative is to establish the westernmost trailhead at the Woyak Baseball Complex/Village of Plover Park. Use of the I-39 underpass is needed to provide linkage with the park. Since it is undetermined, at the present time, if the underpass can be used for trail purposes, an alternative trailhead location must be considered. Accordingly, the Park Commission will consider establishing the westernmost trailhead in the Village of Plover's Industrial Park, near the intersection of Twin Towers Road and Water Way. The WDNR would need to purchase land for the alternative trailhead, in the Village Industrial Park.

2. The railroad trestle over the present USH 10 route has not been abandoned and will remain in active railroad use, to serve a local shipper in the Village of Amherst Junction. Therefore, the trail will initially be developed as 2 segments: (1) from the westernmost trailhead, in the Village of Plover, to STH 161, in the Village of Amherst Junction; and (2) from Alm Road, in the Town of Amherst, to the trail's eastern end, at the Portage/Waupaca County line. The planned trail corridor will remain temporarily undeveloped between STH 161 and Alm Road, for a distance of about 0.8 miles, until an alternative to the trestle crossing is established on the present USH 10 route. Construction of a USH 10 bypass in this area, by the year 2006, has been proposed by the Wisconsin Department of Transportation (WDOT). This would increase the potential for establishing a safe, at-grade trail crossing on the present USH 10 route, since the volume of traffic would be expected to decrease significantly (see Section 4.11(H)). The Portage County Park Commission will consider the use of public roads as a means of providing an interim, off-trail linkage that circumvents the problem area and provides a continuous trail (see Section 4.11(G)).

3. Regrade the roadbed to establish a 10-foot wide trail surface and add 4-6 inches of compacted, crushed rock or other surfacing material that meets the WDNR standards. Remove the existing ballast from part of the trail tread and establish a stable, natural surface for a 2-4 foot wide horseback riding trail, paralleling the bicycling/hiking tread. The horseback riding trail will be limited to those portions of the corridor

where sufficient width exists, e.g., where wetlands are not present, to allow the additional trail surface.

4. Install railings over the culvert at the Tomorrow River crossing.

5. Provide directional and control signs.

6. Develop parking facilities at the following locations:

    a) Establish a parking area in the Village of Plover Industrial Park, if the use of the Woyak Baseball Complex is not feasible for the westernmost trailhead. This would require that the WDNR purchase land for parking purposes, near the intersection of Twin Towers Road and Water Way.

    b) Establish a parking area in the Town of Stockton, at a location in proximity to the Custer Road trail crossing.

    c) Establish a parking area in the Village of Amherst Junction. If the WDNR is unable to purchase land for a parking area in the Village, Portage County will utilize Lake Emily County Park as an alternate location.

7. The State Legislature's Joint Committee on Finance approved the WDNR's request to purchase the FVWR's abandoned right-of-way, with the condition that this Master Plan:

> "...(a) provide for installation of fencing and closable gates at appropriate locations along the trail, and (b) allow for normal farming practices to be conducted on land adjacent to the trail."

With this in mind, the Portage County Park Commission has agreed to provide fencing, on a cost-sharing basis, where necessary to confine livestock on properties adjacent to the trail and where fencing will provide the principal deterrent to public access to fields where aerial spraying currently occurs. Portage County will pay for 50% of the fencing costs, based on State code requirements for a four-strand barbed wire fence. This policy shall not be applicable where fences already exist. Landowners participating in cost-sharing for fences will be responsible for maintenance of said fences. This agreement is similar to the WDNR's fencing policy regarding non-park lands.

The Portage County Park Commission has also agreed to form a Trail Fencing Advisory Committee, made up of appointed, adjacent landowners and representatives from the Park Commission, to prioritize requests for fencing, not covered in the previous paragraph. Such

fencing requests will be addressed by the Portage County Park Commission in accordance with the priority assigned by the Advisory Committee and subject to the availability of funding.

Portage County will install gates at public road crossings, to prevent unauthorized access by motor vehicles. The gates will provide an approximate center opening of 5 feet in width, to allow access for permitted uses. The gates will be designed so that they can be fully opened during the snowmobile season, to allow for grooming of the trail, and to ensure the safety of snowmobilers.

Where private trail crossings have been approved, gates may be constructed, parallel to the trail, at the discretion and cost of those landowners. Such gates may not be used by those landowners temporarily or permanently to block or prevent passage along the trail corridor.

C. Long-Term Phase of Trail Development

Once the initial development of the trail is completed, and as funds are available, additional improvements and facilities will be provided as follows:

1. Provide interpretive signs.

2. Develop nature observation areas.

3. Develop additional parking, picnic, and rest areas, as trail usage demands. Expand the existing parking area at Cate County Park and install restrooms.

4. Complete development of the trail, between STH 161 and Alm Road, when an appropriate crossing of the present USH 10 route has been established.

D. Development Schedule

The initial phase of trail development may be completed as early as 1999, subject to approval by the WDNR and the availability of grant funding. Upon completion of the initial development phase, the trail will be opened for public use. Long-term trail development will occur as demand, opportunity, and funding permit.

E. Development Standards

The trail will be developed in accordance with the MOA. Development guidelines include, but are not limited to, the following:

- WDNR Design Standards Handbook, Chapter 30-Trails
- WDNR "Snowmobile Trail Signing Handbook" (Publ-AA-023)

Trailhead facilities will be developed in conformance with State and local zoning and building codes, as well as the requirements of the Americans With Disabilities Act (see Section 4.8 of this Master Plan).

Section 4.5 Operation and Maintenance

Portage County will assume the responsibility for the operation and maintenance of the trail. The Portage County Parks Department, under the direction of the Portage County Park Commission, will act as the County's agent in this regard.

A. Trail Operation

Daily operation of the trail will be directed and performed by Portage County in accordance with the MOA, Portage County ordinances/policies, and this Plan. Portage County will also be responsible for enforcement of relevant ordinances within the trail corridor.

Trail user information will be provided by Portage County and will include maps/brochures and signs providing information regarding trail regulations, directions, safety/emergency protocol, etc.

B. User Fees

Portage County will utilize its own trail pass system, which has been in place at Standing Rocks County Park since 1994, subject to approval by the WDNR. Trail users will be required to purchase a County trail pass, under a self-registration system, for admission to the trail. Hikers and snowmobilers will be exempt from this requirement, as provided by State law. Portage County will honor the State Trail Pass, conservation patron license, and senior citizen recreation card issued by the WDNR, without additional admission charges.

C. Hours of Operation

The trail will be open for use by snowmobiles 24 hours a day, during published use periods, which coincides with the rest of the County snowmobile trail system. During the published snowmobile use period, non-snowmobile uses will be prohibited on the trail between sunset and sunrise. The trail will be closed to all uses during the gun-deer season. At all other times of the year, the trail will be open for permitted uses, during published use periods, between the hours of 6:00 a.m. and 11:00 p.m., which coincides with the hours established for the County park system.

D. Trail Maintenance and Enforcement of Regulations

Trail maintenance will be directed and primarily performed by Portage County Parks Department staff. It is Portage County's intent to encourage the development of a "Friends of the Trail Group" and/or to establish an "Adopt-a-Trail Program" to assist in trail maintenance, including litter pickup. Portage County will coordinate seasonal grooming of the trail by local snowmobile clubs. Routine enforcement of applicable ordinances will be handled by the Portage County Parks Department, with support from the Portage County Sheriff's Department and WDNR wardens. Trail maintenance will be carried out using existing Portage County Parks Department staff. The trail corridor will also be regularly inspected by the Portage County Parks Department. To ensure that the trail and its related facilities are kept in good condition, the following additional maintenance activities will be performed by Portage County, as needed:

1. Regrade or supplement surfacing material on the trail tread and parking lots.

2. Mow, brush, and prune, as needed, to maintain an adequate clearing width and height along the trail.

3. Maintain and provide needed repairs to trail-related culverts, gates, signs, etc., excluding privately owned property. Where a private trail crossing is required, maintenance related to such crossing will be the responsibility of the landowner for whom the crossing was approved.

4. Resupply and update informational materials.

5. Portage County will contract with local snowmobile clubs for seasonal grooming of the trail and for maintenance of related signs, on those segments designated for snowmobile use.

NOTE: Portage County will not groom the trail for cross-country skiing.

Section 4.6 Vegetation, Wildlife and Cultural Resources

A. Vegetation

The WDNR's Feasibility Study/Environmental Analysis indicates that much of the trail corridor is dominated by grasses, with small amounts of hazelnut and wild plum. Woodlands include black oak, bur oak, aspen, and box elder. Most species are native or are considered naturalized and will require little vegetative management.

Rare plant species known to occur in or near the trail corridor include wild licorice, pale beardtongue, and wooly milkweed. Also of importance is the presence of wild lupine, which provides habitat for the federally endangered Karner Blue butterfly. Some remnant prairie plant species are also present.

Methods to be used to manage vegetation along the trail corridor include brushing and mowing, and may include limited use of approved herbicides by certified applicators. Most of the tree and shrub growth will go unmanaged, although some selective cutting will be necessary to maintain scenic vistas, to remove overmature trees, and to maintain an adequate clearing width and height along the trail. A 2-3 foot wide strip on either side of the trail surface will be mowed to control vegetative growth. Controlled burning and/or mechanical brushing may be necessary to control woody vegetation and thereby maintain remnant prairie plant species.

B. Wildlife

Wildlife and wildlife habitat are limited, due to the disturbed nature of the old railroad corridor and the presence of farming activity adjacent to much of the right-of-way. Nevertheless, a variety of wildlife inhabits the lands in and around the trail corridor, which should provide opportunities for wildlife observation by trail users. Bird species include ducks, geese, ruffed grouse, pheasants, wild turkeys, owls, hawks, and many songbirds. Common mammals include squirrels, rabbits, raccoon, fox, and whitetail deer. Numerous fish species are present in the adjacent waterbodies, e.g., Lake Emily and the Tomorrow River. Common species include northern pike, walleye, perch, largemouth bass, bluegill, and black crappie. The Tomorrow River is also a well-known trout stream. The Karner Blue butterfly, a federally endangered species, may also be present along the trail corridor.

Wildlife management opportunities are limited, due to the small land base associated with the trail corridor. However, Portage County will cooperate with the WDNR, the University of Wisconsin-Stevens Point (UWSP), and local schools, as well as environmental groups interested in promoting wildlife management along the trail corridor, where consistent with the goals of this Plan. Hunting and trapping will not be permitted on the trail or within the right-of-way. Special care will need to be taken with regard to the management needs of the Karner Blue butterfly, particularly where trail improvements may disrupt their potential habitat.

C. Cultural Resources

The Feasibility Study/Environmental Analysis prepared for the rail corridor by the WDNR indicates the following:

> "Except for a 1915 railroad bridge over the Tomorrow River, it is unlikely any other cultural resources would be present within the 100-foot right-of-way due to construction of the railroad. However, State Historical Society records indicate the presence of several historic buildings and a number of Native American burial sites near the right-of-way. The largest grouping of burial sites is in the Lake Emily area.
>
> Any lands purchased outside the right-of-way may require an archeological survey."

Accordingly, no special archeological management techniques or measures are proposed for the trail corridor at this time. Note: A culvert is presently installed at the Tomorrow River crossing; no railroad bridge exists.

Section 4.7 Education and Interpretation

The long-term phase of trail development includes installation of interpretive signs and development of nature observation areas, related to vegetation and wildlife, as well as historical and glacial features along the trail corridor. Cooperation with the UWSP, local schools, and environmental groups will be emphasized in regard to these and any other educational or nature interpretation opportunities along the trail.

Section 4.8 Accessibility to Persons with Disabilities

Trail facilities will be made accessible to people with physical disabilities to the greatest extent possible and as required by the Americans With Disabilities Act, any other applicable laws, and the WDNR Trail Design Standards. The use of wheelchairs, including the electric variety, will be permitted. The use of other motorized mobility aids for individuals with severe mobility impairments will be evaluated on a case-by-case basis.

Section 4.9 Public Involvement and Interagency Cooperation

Opportunities for public comment/involvement in the planning of the trail have been provided by the Portage County Park Commission. In addition to public input received at a number of regular County Park Commission meetings, various public meetings have been held specifically to receive public input or take action related to the trail planning process.

A. Key Public Meetings Conducted Prior to Development of Draft Master Plan

MEETING DATE	LOCATION	NUMBER IN ATTENDANCE
5-10-95	Village of Amherst	127
6-8-95	City of Stevens Point	50
1-9-97	City of Stevens Point	70
2-6-97	City of Stevens Point	50
3-6-97	City of Stevens Point	35
4-3-97	City of Stevens Point	20

B. Opportunities for Public Review of Draft Master Plan

The Portage County Park Commission conducted a formal public hearing on the Draft Master Plan on 6-26-97, at the County-City Building in Stevens Point, following publication of a Class 2 public hearing notice in the Stevens Point Journal. Approximately 30 people attended the public hearing. Prior to the hearing, copies of the Draft Master Plan were made available for public viewing in the offices of the Portage County Parks Department and in local, public libraries. The Park Commission subsequently met on 7-8-97 (at Lake Emily County Park in the Town of Amherst) and on 7-24-97 (at Collins County Park in the Town of Alban), to consider the input received at the public hearing and to consider related changes to the Draft Master Plan (minutes of the 6-26-97, 7-8-97, and 7-24-97 Park Commission meetings are included in Appendix B).

C. Interagency Cooperation

Numerous conversations and meetings have also taken place between the WDNR staff, Portage County staff, and local officials, throughout the trail planning process. The Portage County Park Superintendent is herein designated as the County's contact person for questions regarding this Master Plan and the trail.

Section 4.10 Outdoor Recreation Needs

The Portage County Comprehensive Outdoor Recreation Plan, 1995-2000 Update estimates that demand exceeds supply for the following trail related recreational activities in Portage County:

- ✦ off-road bicycling
- ✦ cross-country skiing
- ✦ horseback riding

Portage County's Outdoor Recreation Plan projects a continued high level of demand for snowmobiling, as well as growing interest in nature trails and walking/jogging facilities. The Outdoor Recreation Plan also concludes that Portage County should give high priority to the acquisition of lands that connect or link areas of recreational value. The Outdoor Recreation Plan anticipated the WDNR's purchase of the abandoned FVWR rail line and listed its development, for trail purposes, as part of Portage County's short-term park improvement program.

The State Comprehensive Outdoor Recreation Plan, 1991-1996 identifies outdoor recreation priorities for the State, as well as the North Central District, which includes Portage, Wood, Juneau, Adams, Marathon, Lincoln, Langlade, Oneida, Forest and Vilas Counties. Trail related outdoor recreation needs for the North Central District are ranked as follows:

High Priority -	Hiking, Walking and Running Bird and Wildlife Watching
Medium Priority -	Bicycling Off-Road Motor Vehicles (ORV's)
Low Priority -	Snowmobiling Other Trail Uses

The trail will clearly help to satisfy the existing and anticipated future demand for the activities identified above, with the exception of ORV's, which will be prohibited on the trail. The trail will also help to achieve the goals of the 1997 Plover and Stevens Point Metropolitan Area Bicycle/Pedestrian Plan and will provide linkages with existing recreational facilities, as identified in Section 2.0 and Section 4.4(A) of this Master Plan.

Section 4.11 Potential Management Problems

A. Enforcement of Regulations

Potential violations of trail regulations include unauthorized use, vandalism to trail facilities, and trespass or damage to adjoining, private property. Such violations will be addressed through a combination of public information/education, encouragement of trail users and neighboring landowners to report problems, monitoring of the trail by Portage County Parks Department staff, and enforcement of relevant ordinances by County Parks and/or Sheriff's Department staff, as well as WDNR wardens. Violators will be subject to fines and other appropriate measures as provided under County ordinances. Repairs to the trail or its associated facilities will be made by Portage County in a timely manner and as funds permit.

B. Use of Corridor by Electric Utility

A small portion of the trail right-of-way, extending from the Custer Road crossing to the west for a distance of about ½ mile, is used for high voltage electric transmission lines, which includes a series of 90-foot high poles. Access for utility repair/maintenance crews and equipment will be provided and coordinated to reduce impacts to the trail and trail users.

C. Uses Subject to Periodic Review

Horseback riding and dog sledding will be reviewed by the Portage County Park Commission on a periodic basis, to determine if these uses prove to be appropriate on the trail or if special restrictions may be required. Similarly, the speed limit(s) established for snowmobiles will be evaluated over time, to determine if changes are warranted, based on accident records.

D. Conflicts with Adjoining Farming Activities

The trail passes through predominantly agricultural lands, including both dairy farms and areas of irrigated vegetable crop production. Where farmers own land on both sides of the trail corridor, private trail crossings may be needed. Vegetable growers have expressed concerns that trail users may enter fields that have undergone recent chemical application and have expressed a desire for fencing and gates. Dairy farmers have also expressed a desire for fencing, to control livestock. Other landowners have expressed concerns with regard to the potential for trespassing, theft, and vandalism by individuals using the trail as a means of unauthorized access to private property.

Recommended options for addressing this situation include: education of trail users; use of directional, informational or warning signs; and reporting of problems or violations by trail users and adjoining landowners, together with enforcement by Portage County and appropriate penalties applied to violators. The County's policies regarding fencing and gating are discussed in detail in Section 4.4(B)(7) of this Master Plan. The key objective will be to develop and manage the trail, in a cost-effective manner, to minimize potential conflicts between trail users and farmers and to allow essentially normal farming practices to be conducted.

E. Encroachments

Encroachments within the trail right-of-way, e.g., structures, storage of machinery or vehicles, and cropping, will need to be identified by the WDNR and dealt with on an individual basis. Corrective actions will be determined by the WDNR.

F. Endangered Species

Special care will need to be taken during trail development or maintenance, where possible habitat for the federally endangered Karner Blue butterfly would be disrupted. Surveys for Karner Blues may be undertaken, if deemed necessary by the WDNR, as funding permits.

G. Highway 10 Crossing

The railroad trestle over the present USH 10 route has not been abandoned and will remain in active railroad use, to serve a local shipper in the Village of Amherst Junction. An alternative to the trestle crossing will need to be established on the present USH 10 route, in order to provide a continuous trail corridor from the Village of Plover to the Portage/Waupaca County line. Until such crossing is established, the Portage County Park Commission will have 2 options to address this problem, as follows (also see Section 4.11(H)):

1. SEPARATE TRAIL SEGMENTS - Manage the trail corridor as 2 discontinuous trail segments, the first from the Village of Plover to the Village of Amherst Junction at STH 161, with the second segment from Alm Road eastward to the Portage/Waupaca County line. The trail corridor would remain undeveloped between STH 161 and Alm Road, until the crossing problem on the present USH 10 route is resolved. Under this option, Cate County Park would serve as the trailhead for the eastern segment.

2. SOUTHERN LINKAGE - Establish an interim, off-trail linkage from the STH 161 trail crossing to the CTH T crossing, near Turtle Lake. This would allow trail users to follow the established Ice Age Bicycle Trail route, which passes through the Village of Amherst. Trail users would be required to travel off-trail, along public roads, for a distance of about 5 miles. This route crosses the present USH 10 corridor at the Packer Avenue/CTH A intersection, in the Village of Amherst. While this crossing presents a potential safety hazard based on high traffic volumes and vehicular speed, it provides better visibility than a trail crossing of the present USH 10 route at the STH 161 intersection, in the Village of Amherst Junction.

Each of the above options would require that Portage County provide clear directions to trail users, in the form of signs, posted maps, and informational brochures.

H. Future Highway 10 Bypass

As part of the State's planned upgrade of USH 10 to a limited-access, multilane, divided highway, the WDOT proposes to bypass the Villages of Amherst and Amherst Junction. This major bypass route is presently planned to cross the trail

corridor east of Lake Emily. The WDOT will be responsible for providing a safe crossing, if the trail is completed prior to construction of the highway bypass. The trail may be completed as early as 1999, while the USH 10 bypass is scheduled for completion by 2006. Once the bypass is completed, the present USH 10 route between the Villages of Amherst and Amherst Junction will likely be transferred to County or local jurisdiction and should receive substantially reduced traffic volumes. This should increase the potential for establishing a safe, at-grade crossing for the trail on the present USH 10 route. The WDOT will be contacted by the County, to ensure that an appropriate trail crossing is incorporated into the design of the USH 10 bypass.

I. Trail Terminus at County Line

Since the Waupaca County portion of the abandoned right-of-way will not be developed at this time, the eastern end of the trail will terminate at the Portage/Waupaca County line. Unfortunately, no road crossing exists at the trail terminus, thus constituting a dead end for trail users. A sign will need to be posted at the last/easternmost public road crossing in Portage County, i.e., Elkins Road, to inform trail users that the remaining 0.7 miles of the developed corridor ends at the County line. An informational sign will also need to be installed at the County line, to mark the end of the trail and to inform users that the remaining portion of the corridor owned by the WDNR, in Waupaca County, is undeveloped.

J. Options for Westernmost Trailhead

Because it is undetermined, at the present time, if the trail can be linked with the Woyak Baseball Complex, the Portage County Park Commission will consider establishing the westernmost trailhead in the Village of Plover Industrial Park (see Section 4.4(B)(1)). It is the Park Commission's preference to locate the westernmost trailhead at the Woyak Baseball Complex for the following reasons:

1. Parking, drinking water, and restroom facilities are already available at the Woyak Baseball Complex. Land acquisition by the WDNR and development of trailhead facilities by Portage County would be required, if an alternate trailhead site is selected in the Village of Plover Industrial Park.

2. The Woyak Baseball Complex is located within the Village of Plover's population center. Linking the trail with this facility will make the trail more accessible to urban area residents and should increase trail usage. The Village's Industrial Park is located on the fringe of the urban area, away from most residential development.

3. Establishment of the westernmost trailhead in the Village of Plover Industrial Park will not provide linkage with the Green Circle State Trail.

SECTION 5.0 LAND CAPABILITY, REGIONAL ANALYSIS AND USE HISTORY

This section includes a summary of supporting data pertaining to the trail corridor and the development of this Master Plan. For more detailed information, the reader may refer to the following plans, available from the Portage County Planning and Zoning Department and local libraries.

PLANS WRITTEN BY THE PORTAGE COUNTY PLANNING AND ZONING DEPARTMENT:

Development Guide - Village of Amherst Junction - 1980

Portage County Farmland Preservation Plan - 1985

Portage County Groundwater Management Plan - 1988

Land Use Plan - Town of Stockton - 1992

Development Guide - Village of Plover - 1992

Land Use Plan - Town of Amherst - 1995

Portage County Comprehensive Outdoor Recreation Plan, 1995-2000 Update

OTHER REPORTS:

Surface Waters of Portage County, WDNR, 1972

Soil Survey of Portage County, WI, U.S. Soil Conservation Service, 1978

Rail to Trail Development in Chippewa County - Economic and Recreational Aspects, WDNR, 1996

SECTION 5.1 RESOURCE AND LAND CAPABILITY

The trail crosses a land surface that has been shaped largely by glacial activity. During the glacial age, the continental ice sheet moved across eastern Portage County, advancing to within approximately 3 miles of what is now the Stevens Point Urban Area. Minor advances and retreats of the ice front formed a series of north-south terminal and recessional moraines, as ice transported sediments were dumped near the forward edge of the ice sheets. The resulting hilly topography is interspersed with flat, sandy, outwash plains, deposited by glacial meltwater streams. The physical and chemical characteristics of the areas lakes and streams are also directly related to the glacial geology, as well as human impacts. Portage County lies within a vegetative transition zone, resulting in a broad diversity of native vegetation and wildlife. Note: Vegetative, wildlife, and archeological resources are discussed in greater detail in Section 4.6 of this Plan.

Land capability is highly variable, mirroring the diversity of landforms and soils. The sand plain soils are well suited to irrigated vegetable crop production. These soils also provide a rich source of sand and gravel for use in construction, with both active and abandoned gravel pits commonly found near the trail corridor. Other tillable lands are used for dairy farming. Steeper sloping sites are poorly suited to agriculture and generally remain wooded, attracting residential development. Lowland and wetland areas are unsuitable for development and generally remain in a natural state. The Stevens Point Urban Area and the Village of Amherst provide public sewer and water systems. The remaining development in the general area of the trail corridor utilizes on-site sewage disposal systems and private wells. Soil capability for on-site waste systems is not generally a limiting factor for development in the Towns of Stockton and Amherst. Overall groundwater quality in this part of the County is good. However, protection of groundwater has become a significant concern and a high priority. High levels of nitrates and certain agricultural chemicals are present in some area wells. Portage County is one of the first in the State to adopt and implement a groundwater management plan, including the application of special zoning regulations within the recharge area of municipal wells.

The primary physical limitation affecting the development of the trail corridor is the presence of wetlands, along certain segments, which results in a narrowing of the usable trail tread. This may preclude the development of a horseback riding trail on those segments.

SECTION 5.2 REGIONAL ANALYSIS AND ECONOMIC IMPACT

A. Regional Analysis

Portage County is located in the center of the State and is easily accessible via I-39 and USH 10. The Stevens Point Urban Area, with a population of approximately 40,000, is the economic hub of the County and is the site of the westernmost trailhead. Adjoining counties include Marathon, Wood, Adams, Waushara, and Waupaca, with a total population for the 6 county region of 365,000. Other major cities in the region include Wausau, Marshfield, and Wisconsin Rapids. Other major highways in central Wisconsin include STH 29 and STH 54. Secondary access is provided by a variety of more lightly traveled state, county, and town roads. The trail is located within a 2-hour drive of the Fox River Valley to the east, including the cities of Green Bay, Appleton, Oshkosh, and Fond du Lac, as well as the Madison Urban Area to the south.

The 6 county central Wisconsin region has traditionally been economically strong in the manufacturing, retail, and service sectors, but has been notably weak in the tourism sector. The trail should help to strengthen the tourism industry, particularly in Portage County.

B. Economic Impact

In addition to the recreational and environmental value of the trail, it is also expected to have a positive economic impact on Portage County. Surveys of other recreational trails in Wisconsin and throughout the nation indicate that these economic benefits are from 2 sources: (1) trip related expenditures, of which restaurant and auto-related expenditures form the largest category and (2) expenditures made by users on durable goods related to their trail activities, of which equipment, such as bicycles, forms the largest category. Studies indicate the average expenditure/person/day is expected to be about $10.00. However, trails with higher numbers of local users can be expected to have lower daily expenditures. Direct purchases by trail users from local businesses typically have a positive "chain reaction" type effect on other businesses, e.g., local and regional suppliers. Accordingly, an economic multiplier is applied to determine the total economic impact of a trail, which is approximately 1.5 to 3 times more than the original expenditure.

Assuming an estimated, initial 15,000 users per year on the trail, direct expenditures by trail users would be expected to generate $150,000, with a total economic impact to Portage County of $225,000 to $450,000 annually. Since annual trail use usually increases over time, as a trail becomes better known, these figures can be expected to increase.

SECTION 5.3 HISTORY OF CORRIDOR

Vast stands of white pine first attracted lumbermen to the present Stevens Point area. Sawmills were established and the lumber was rafted down the Wisconsin River to the Mississippi River. There was no other practical way of getting lumber out of the upper Wisconsin pinery, until the railroads arrived in 1871. As the supply of white pine slowly diminished, the use of the railroads was directed more toward general freight hauling. As more freight was eventually hauled by truck, various railroad lines were abandoned.

The Plat Book of Portage County, Wisconsin, dated 1895, identifies the rail line passing through the Village of Plover and eastward to the Fox River Valley as the Green Bay, Winona and St. Paul Railroad. By 1915, the Standard Atlas of Portage County, Wisconsin calls this line the Green Bay and Western Railroad. After being in productive use for over a century, this line was finally abandoned and subsequently purchased by the WDNR in 1997, under the National Trails System Act, for use as a State trail.

SECTION 6.0 ENVIRONMENTAL IMPACT

The Feasibility Study/Environmental Analysis of the trail corridor prepared by the WDNR concludes that:

> "The environmental impacts associated with acquisition of the abandoned rail corridor and providing connectors through fee simple purchase, easement or long-term land use agreements to create a continuous publicly owned trail from Plover to the Portage/Waupaca County line, will be minimal."

Therefore, no further environmental analysis of the trail is proposed in this Master Plan. Trail development and maintenance will emphasize techniques to minimize impacts to wildlife and vegetation, to control erosion, and to avoid conflicts with adjoining landowners.

SECTION 7.0 ANALYSIS OF ALTERNATIVES

Three trail development alternatives are considered in this Master Plan: No Action Alternative; Limited Trail Development/Low Cost Alternative; and Enhanced Trail Development Alternative.

SECTION 7.1 NO ACTION ALTERNATIVE

This alternative would leave the abandoned railroad right-of-way, which has been purchased by the WDNR at a cost of $257,725, in its present, undeveloped condition. Without improvements, the corridor would provide very few recreational opportunities. Regulation of the corridor would be virtually nonexistent and could lead to use conflicts. Without maintenance, vegetative growth and soil erosion would cause deterioration of the rail bed.

This alternative would not appear to represent a significant return on the State's substantial monetary investment, would not address the recreational needs documented in the State and County Comprehensive Outdoor Recreation Plans (see Section 4.10), and could create more land use conflicts than a developed trail. Accordingly, this alternative was not selected.

SECTION 7.2 LIMITED TRAIL DEVELOPMENT/LOW COST ALTERNATIVE

This alternative would involve limited grading of the trail surface, provision of minimal signage, and winter grooming of the trail for snowmobiles. Only existing parking and rest areas would be provided. Snowmobiling opportunities would be increased, but the uncompacted trail surface would hinder hiking and substantially limit bicycling use. As the low cost development alternative, a separate trail tread for horseback riding would not be provided, due to the additional costs, nor would new support facilities, such as additional parking, restrooms, and drinking water.

This alternative was not selected. It would not adequately address the recreation needs documented in the County Comprehensive Outdoor Recreation Plan, with regard to off-road bicycling and horseback riding. Nor would it address the high priority need for hiking in the North Central District, as documented in the State Comprehensive Outdoor Recreation Plan.

SECTION 7.3 ENHANCED TRAIL DEVELOPMENT ALTERNATIVE

This alternative involves regrading the roadbed to establish a 10-foot wide trail surface and adding 4-6 inches of compacted, crushed rock; removing existing ballast from part of the trail tread to establish a trail for horseback riding on appropriate segments; installing railings at the Tomorrow River crossing; providing directional and informational signs; developing improved trailhead facilities including parking, picnic areas, restrooms, drinking water, and informational materials; installing gates where the trail crosses public roads; and fencing to confine livestock on adjacent lands and as the principal deterrent to public access to

fields where aerial spraying occurs (see Section 4.4(B)(7)). Additional facilities, including nature observation areas and possible additional fencing, would be provided as funding becomes available. Permitted uses would include hiking, bicycling, snowmobiling, and cross-country skiing, with horseback riding and dog sledding permitted subject to periodic review by the Portage County Park Commission.

This was selected as the preferred alternative. It best addresses the recreation needs identified in the State and County Comprehensive Outdoor Recreation Plans. In addition, this alternative most completely meets the County's goal of providing a multi-use, multi-season State trail.

SECTION 8.0 APPENDICES

APPENDIX A

MEMORANDUM OF AGREEMENT

MEMORANDUM OF AGREEMENT

BETWEEN PORTAGE COUNTY AND THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES TOMORROW RIVER STATE TRAIL

I. Introduction

The purpose of this Memorandum of Agreement, (MOA), is to set forth the agreements and understandings which have been reached between Portage County, (County) and the State of Wisconsin Department of Natural Resources (DNR) regarding the acquisition, development, and operation of approximately 15 miles of abandoned rail property located in Portage County known as the Tomorrow River State Trail. The corridor is presently owned by the DNR.

The DNR is interested in preserving the corridor for recreational trail purposes. Portage County is interested in developing, maintaining, and operating a recreational trail on the corridor provided the DNR acquires same. Portage County and the DNR agree to work together to achieve their mutual goals as set forth below.

II. Description of the Property

The map attached to this MOA describes in general the recreation corridor. An exact legal description of the property will be agreed upon prior to the execution of trail easements.

1. Exhibit A. Map

2. Exhibit B. Easement

III. Consideration

The DNR has acquired the grade from Plover to Scandinavia under the rail-banking provisions of the National Trails Act. The DNR will execute trail easements with the County for one dollar or other valuable consideration. The County will develop, operate, maintain, and police the trail.

IV. Obligations of the DNR

1. The DNR will purchase any additional parcels required for trail purposes as identified in the master plan from willing sellers as the property and funds become available. All acquisitions may be subject to Natural Resources Board and Governor's approvals.

2. The DNR will pay all reasonable and allowable acquisition costs to acquire those parcels.

3. The DNR will purchase all parcels, (except those lands presently under local public ownership acquired with state or federal recreation aid grants) which may be

necessary to obtain clear title to the property and pay all reasonable and allowable costs associated therewith.

DNR will not accept title to or purchase land which has been acquired by the County for trail purposes through the eminent domain process.

4. The DNR will convey by easement to the County the right to develop, maintain, repair and operate a recreational trail as a component of the State Trail System.

5. The DNR agrees to complete the environmental review process for the purchase of the property pursuant to s.1.11, Stats., and Chapter NR 150, Wisconsin Administrative Code, and the DNR represents that it has made reasonable inquiry and has no reason to believe that hazardous waste, noxious waste, or any other condition of the land subject to this MOA exists that would inhibit the ability of the County to possess and improve the property as contemplated by this MOA. If, however, such prohibitive conditions are discovered, either the DNR shall take all steps reasonably necessary to remove such conditions or the intent of this MOA being frustrated, the MOA shall terminate.

6. The DNR agrees that any advertising or display material relating to the trail shall clearly identify the property is owned by the DNR and under the management and control of the County. The County will coordinate the official naming of the Trail, with final approval of the name resting with the Department of Natural Resources Board.

7. The DNR will designate the trail as a "State Trail" and will make any signing or indica of designated state trail status available to the County.

8. The DNR will make its "adopt-a-trail" program available to the County.

V. Obligations of the County

1. The County will participate in or conduct public meetings which may be necessary for the establishment and development, management, and improvements of the trail project.

2. The County may identify, and in cooperation with the DNR, make initial contacts with landowners whose property is available for purchase for trail corridor purposes. A description of the property identified for purchase shall be forwarded to the DNR and include the name, address and phone number of the seller(s). The County may cooperate with other local units of government and organizations in this process.

3. The County, with the assistance of the DNR will coordinate and prepare a master plan consistent, to the extent practicable, with Chapter NR 44, Wisconsin Administrative Code, for the project as per NR 44.04 (13). The master plan is to be completed prior to any trail development that utilizes state or federal grant

funding. Specific recreational uses will be determined through the master planning process.

4. The County shall convey to the DNR merchantable title as evidenced by title insurance to all lands within or adjacent to the above described recreation corridor currently owned by the County necessary for development of the trail as called for in the Master Plan. The DNR will pay for such lands at current market value. The DNR will not pay for lands purchased by Federal aid grants.

5. The County will enter into an easement in perpetuity with the DNR to accomplish the purposes contained in Paragraph V.6.

6. The County, within 5 years of the date of acquisitions, will develop, maintain, repair, fence where necessary, and operate the project lands including all structures herein located within the County for recreational trail purposes as funding becomes available. Until development occurs, the County will assume all monitoring, enforcement, and maintenance responsibilities on the trail corridor.

7. The County agrees the trail will meet or exceed DNR trail standards as identified in the DNR's Design Standards Handbook. The DNR has no obligation to develop and operate the trail at any time.

8. The County agrees that any advertising or display material relating to the trail shall clearly identify the property is owned by the DNR and under the management and control of the County.

9. The County in connection with this MOA shall open the facilities to the general public subject to reasonable rules and regulations, fees and charges as the County deems necessary for the management and operation of the trail.

   A. Rules and Regulations. Pursuant to NR 45, Wisconsin Administrative Code, the Department retains management, supervision, and control over the Premises for the purpose of enforcing Chapter 45, Wisconsin Administrative Code, when needed to protect the property. Daily routine enforcement remains the responsibility of County. County personnel will enforce the county park ordinance.

   B. Admission fees, if any, charged by the County shall be not exceed those established in Chapter NR 45.12, Wisconsin Administrative Code for the State Trail Pass. Fees shall be subject to written approval by the DNR. The County may establish its own admission fee program as payment for its services under this MOA. If admission fees are charged, the State Trail Pass (both annual and seasonal), the conservation patron license and senior citizen recreation card issued by the DNR shall be honored without additional admission charges.

      The County may utilize and sell the State Trail Pass and retain (up to)

a 70 per-cent commission to be used for trail operations and maintenance. The County may establish vendors to sell the pass. (A separate Trail Pass Sales Agreement between the County and Department will be executed, detailing the sales and remittance procedures.

10. In the exercise of it rights herein, including but not limited to the operation of the eased property as a recreational trail, the County shall not discriminate against any member of the public on the basis of age, race, creed, color, handicap, sex, marital status, arrest or conviction records, ancestry, sexual orientation or membership in the National Guard, state defense force or any other reserve component of the military forces of the United States Department of Interior or their successors or designees.

11. The County may enter into agreements with Friends Groups which meet the criteria in Chapter NR 1.71, Wisconsin Administrative Code. In recognition of the status of this trail as a State Trail, and of the DNR's substantial financial involvement, the DNR shall also be a co-signor of any Friends agreement.

12. The County may enroll volunteers for the Adopt-a-Trail program sponsored by the DNR, following DNR policies and procedures.

13. The County will indemnify and hold harmless the DNR and its employees against all claims, damages, costs, and expenses, including reasonable attorney's fees, arising from the performance of this MOA by the County or from any act of negligence by the County, its agents, contractors, servants, licensees, permittees, or employees. In case any action or proceeding is brought against the DNR or its employees by reason of any such claim, the County upon notice from the DNR, will defend such action or proceeding.

VI. General

1. This Memorandum of Agreement is subject to all applicable laws and regulations. The establishment of this trail is subject to approval by the Natural Resource Board and the Governor.

2. This Memorandum of Agreement may be revised by mutual written agreement of the DNR and the County.

3. The DNR must approve all land transactions, trail crossings and easements for the trail corridor, but the County will be the first point of contact for inquiries from the public and/or private entities on these matters. Guidelines relating to new easements for driveways and road crossings will be provided to the County. If requests conform to the guidelines, they will be referred to the DNR for executing an easement, lease, or trail-related agreement. If the requests do not conform to DNR guidelines, the County will deny the request. Any denial can be appealed to the DNR. All proceeds from these transactions shall be payable to the DNR.

4. An annual meeting between the County and DNR will take place to review development and acquisition progress, operational problems and maintenance standards needing attention and to exchange ideas and information for the good of the trail project.

5. The MOA shall not be construed as creating a public debt on the part of the DNR in contravention of Article VIII, Wisconsin Constitution and all payments or obligations hereunder are subject to the availability of future appropriations.

VII. TERMINATION

1. County. The County may terminate their Memorandum of Agreement or the easement from the DNR by providing ninety (90) days written notice of said termination. In the event the County terminates this Memorandum of Agreement or the easement from the DNR, the County will assume compliance responsibility for any state or federal recreation grant fund assisted areas. A payment equal to any land and water conservation grant awarded through the community assistance program for development shall be paid to the DNR by the defaulting county(s). A payment equal to any other grant amount awarded through the community assistance program for development shall be paid to the DNR by the defaulting county(s) based on remaining useful life values of the improvements.

2. DNR. The DNR may terminate this Memorandum of Agreement or the easement with the County in the event that:

   A. The County breached any term or condition in the Memorandum of Agreement or the easement and said breach remains uncorrected for a period of sixty (60) days from receipt of the DNR's written notification of said breach by the County. In the event the County breached any term or condition of their Memorandum of Agreement or the easement from the DNR, the County will assume compliance responsibility for any state or federal recreation grant fund assisted areas.

   B. The DNR determines that the continued use of the premises as a recreational trail would be inconsistent with the management needs or objectives of the DNR or the State of Wisconsin. In exercising its termination rights under this provision, the DNR shall give the County(s) 180 days notice of termination and reimburse the County(s) for developed improvements on the remaining useful life values of the improvements, subject to the availability of future appropriations.

IN WITNESS WHEREOF, DNR and the County have caused this memorandum to be executed in their respective names by their respective duly authorized representatives.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

BY George E Meyer 10/31/97

George E. Meyer, Secretary Dated

PORTAGE COUNTY

BY Clarence Hintz 10/20/1997

Clarence Hintz Dated
County Board Chairperson

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Exhibit B.

EASEMENT

BY THIS INDENTURE, the State of Wisconsin, Department of Natural Resources, hereinafter referred to as DEPARTMENT, in consideration of One ($1.00) Dollar and the mutual covenants hereinafter set forth, does hereby convey to Portage County, hereinafter referred to as the COUNTY, a nonexclusive easement for the purpose of constructing, operating, maintaining, repairing and replacing a recreational trail on the following described property in the State of Wisconsin:

All that part of the former railroad right of way of the Fox Valley & Western Ltd. extending from Mile Post 78.5, being the West side of Kennedy Avenue, Plover Township, to Mile Post 69.7, being the southwesterly line of Wisconsin Central Ltd. right of way, Amherst Junction. The described right of way lies within Section 24 of Township 23 North, Range 8 East; Sections 19, 20, 21, 22, 15, 14, and 13 of Township 23 North, Range 9 East; and through Sections 18 and 17 of Township 23 North, Range 10 East. Containing 106.67 acres more or less.

This space reserved for recording data

RETURN TO:

Also, all of the former railroad right of way of the Fox Valley & Western Ltd. extending from Mile Post 69.1, being a point 3,360 feet East of the northeasterly line of the Wisconsin Central Ltd. right of way East of Second Street, Amherst Junction, to the East line of Portage County. The described right of way lies within Sections 16, 15, 14, and 13 of Township 23 North, Range 10 East. Containing 47.75 acres more or less.

Also, the northerly 17 feet of the former railroad right of way of the Fox Valley & Western Ltd. extending from the West side of Kennedy Avenue in the Town of Plover to the West side of Hoover Avenue in the Village of Plover, EXCEPT that portion located in the SW 1/4 of the SW 1/4 of Section 23, all in Sections 22, 23, and 24 of Township 23 North, Range 8 East, Portage County, Wisconsin. Containing 4.3 acres more or less.

Also, the northerly 17 feet of the railroad right of way of the Fox Valley & Western Ltd. located in the SW 1/4 of the SW 1/4 of Section 23, of Township 23 North, Range 8 East, Portage County, Wisconsin.

Also, at the location where U.S. Highway 51 easement crosses the Fox Valley and Western right of way; a 330 foot long parcel of land lying between the South line of the North 17 feet of the right of way of the Fox Valley & Western Ltd. and North of a line 10 feet North from the center line of the railroad tracks. The described right of way runs through Section 23, Township 23 North, Range 8 East, Portage County, Wisconsin.

Also, the southerly 17 feet of the Fox Valley & Western Ltd.'s right of way, beginning at the North line of the South 100 feet of the Wisconsin Central Ltd.'s right of way East of Second Street in Amherst Junction, Wisconsin and extends easterly 3,360 feet more or less to a point known as Mile Post 69.1, in Sections 16 and 17, Township 23 North, Range 10 East, Portage County, Wisconsin. Containing 1.310 acres.

Also, a strip of land lying between the West property line of the Fox Valley & Western Ltd. and a line lying 17 feet East and parallel to said West property line. Said line begins at a point which is 17 feet equidistant from both the Fox Valley & Western Ltd.'s West property line and South property line. Said line ends at a point which is 7.5 feet North of the centerline of the Fox Valley & Western Ltd.'s abandoned main line track in Section 17, Township 23 North, Range 10 East, Amherst Junction, Portage County, Wisconsin. Containing 1,360 square feet or 0.03 acres.

Also, a 15 foot by 195 foot long strip of land centered on the centerline of the Fox Valley & Western Ltd.'s abandoned main line track where said track entered the westerly common property line of the Wisconsin Central Ltd. with the Fox Valley & Western Ltd. and where said track exits the common easterly property line of Wisconsin Central Ltd. with the Fox Valley & Western Ltd. on and adjoining Second Street Section 17, Township 23 North, Range 10 East, Village of Amherst Junction, Portage County, Wisconsin. Containing 2,925 square feet or 0.067 acres.

The general location of said former right of way is shown on Exhibit "A" attached hereto and made a part hereof.

[illegible] and the Department retains the right to [illegible]

interfere with the rights granted hereunder. If the Department conveys any additional easements within the above-described property, the Department will require the respective grantees to restore the recreational trail to the satisfaction of the County. This easement is subject to future reconstruction of the right-of-way for rail purposes consistent with Section 208 of the National Trails System Act Amendments of 1983, Pub. L. No. 98-11 (16 U.S.C. 1247(d)).

1. The COUNTY shall construct, maintain, operate, repair and replace a recreational trail on the above-described lands located within the above described lands for the purpose of bicycling, hiking, snowmobiling or other mutually agreed upon compatible uses.

2. The COUNTY agrees the trail will be open for public use within 5 years of the date of this easement. If the trail is not open by this date or ever ceases to be used for trail purposes for two years, then all easement rights revert to and revest in the DEPARTMENT without necessity of reentry.

3. The COUNTY shall open the facilities to the general public subject to reasonable rules and regulations, fees, and charges as the COUNTY deems necessary for the management and operation of the trail. Admission fees, if any, charged by the COUNTY shall not exceed those established in s. 27.01(7), Stats. and NR 45.12, Wisconsin Administrative Code, for the State Trail Pass. If admission fees are charged the state trail pass (both annual and daily), the conservation patron licenses, and senior citizen card issued by the DEPARTMENT shall be honored without additional admission charges. Fees shall be subject to written approval by the DEPARTMENT.

   New legislation will allow the COUNTY to utilize the DEPARTMENT State Trail Pass, by selling the pass and retaining up to 70 percent of the sale revenues to be applied toward tail operations. The COUNTY will utilize the State Trail Pass as its admission fee, if any, to be applied to all trail users except hikers and any motorized uses if permitted (i.e., snowmobiles).

4. Trail development shall conform with DEPARTMENT state trail standards.

5. All fencing, signing, surveying and similar activities which are related to the development, maintenance, and operation of the trail including fire suppression, shall be the responsibility of the COUNTY.

6. The COUNTY, shall secure and comply with all federal, state and local permits and licenses required for the construction, installation, operation, maintenance, and repair of the recreational trail including, without limitation, zoning, building, health, environmental permits or licenses, and shall indemnify the DEPARTMENT against payment of the costs therefore and against any fines or penalties that may be levied for failure to procure or to comply with such permits or licenses as well as any remedial costs to cure violations thereof. The DEPARTMENT agrees to cooperate with the COUNTY in securing any such permits or licenses by providing information and data upon request.

7. The COUNTY will not permit any mortgage, pledge, security interest, lien or encumbrance, including without limitation tax liens or encumbrances and liens or encumbrances with respect to work performed or equipment furnished in connection with the construction, installation, repair, maintenance or operation of the recreational trail or any portion of the eased premises.

8. The COUNTY shall pay all transfer taxes, recording costs or fees, or any similar expense in connection with the recording or filing of this easement.

9. The COUNTY agrees to save, keep harmless, defend, and indemnify the DEPARTMENT and all its officers, employees, and agents, against any and all liability claims, costs of whatever kind and nature, for injury to or death of any person or persons, and for loss of damage to any property occurring in connection with or in any way incident to or arising out of the occupancy, use, service, operation or performance of work in connection with this easement or omissions of the COUNTY's employees, agents, or representatives to the extent allowed by law.

10. DEPARTMENT reserves no control over the employment, discharge, compensation of or services rendered by the COUNTY employees or contractors, and the COUNTY shall be and remain an independent party, and nothing herein shall be construed as inconsistent with the status or as creating or implying any partnership or joint venture between the COUNTY and DEPARTMENT and employees of the COUNTY or employees of any contractor shall not be considered DEPARTMENT employees.

11. In the exercise of its rights herein, including but not limited to the [illegible] of the eased property as a recreational trail, the COUNTY shall not discriminate against any [illegible] of the public on the basis of [illegible] sex, handicap, sex, marital status [illegible]

membership in the National Guard, state defense force or any other reserve component of the military forces of the United States.

12. In connection with the performance of any work under the easement and the COUNTY agrees not to discriminate against any employee or applicant for employment because of age, handicap, physical condition, developmental disability as defined in s. 51.01(5), Stats., race, religion, sex, color, sexual orientation or national origin regarding employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The COUNTY agrees to take affirmative action to ensure employment opportunities for persons with physical disabilities.

13. The DEPARTMENT and the COUNTY agree that the provisions of Chapter NR 45, Wisconsin Administrative Code, remain applicable to the subject property. Pursuant to s. 45.01(1), Wisconsin Administrative Code, the DEPARTMENT retains management, supervision, and control over the property for the purpose of enforcing Chapter NR 45, Wisconsin Administrative Code, when needed to protect the property. Daily routine enforcement remains the responsibility of the COUNTY.

14. Notwithstanding Paragraph 2, all rights, duties and responsibilities herein of the COUNTY shall take effect upon receipt of this easement.

15. This easement is given pursuant to the Memorandum of Agreement among the COUNTY and DEPARTMENT executed the ____ day of _____, _____. All matters in that Memorandum of Agreement not inconsistent with the terms of this easement are hereby incorporated by reference.

16. Encroachment issues as they exist are the responsibility of the DEPARTMENT.

17. Future encroachments, boundary disputes, trespass and other claims shall be the responsibility of the COUNTY. Remnants of the corridor, not needed for recreational trail purposes may be sold by the DEPARTMENT upon mutual agreement of both parties. Any such sales are subject to approval of the Natural Resources Board and the Governor and also subject to the Rails-to-Trails legislation.

In witness whereof, the State of Wisconsin, Department of Natural Resources executed this easement this 31st day of October, 1997.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

STATE OF WISCONSIN)
)ss
DANE COUNTY)

Personally appeared before me this 31st day of October 1997, the above named George E. Meyer, Secretary of the Department of Natural Resources, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Richard Henneger
Richard Henneger, Attorney
Notary Public, State of Wisconsin
My Commission is permanent.

The terms of this easement accepted this 20th day of October 1997

[signature] Portage
County Clerk County

Attest [signature]
County Board Chairman

STATE OF WISCONSIN)
)ss
PORTAGE COUNTY)

Personally appeared before me this 20th day of October 1997 the above-named Roger Thryoza & Clarence Hintz to me known to be the person who executed the foregoing instrument and acknowledged the same.

[signature]

Notary Public State of Wisconsin
My Commission 7-2-2000

This instrument was drafted by State
of Wisconsin Department of Natural Resources, Phillip M. Lepinski

APPENDIX B

PUBLIC INPUT

PORTAGE COUNTY PARK COMMISSION
PUBLIC HEARING
June 26, 1997

The Public Hearing of the Portage County Park Commission was called to order by Chairman Jim Gifford at 7:04 PM in Conference Room A-B of the County-City Building. Members present were Mary Pat Linton, Bill Peterson, Richard Purcell, Jim Gifford and Bill Zimdars. Dan Trainer was excused and Jerry Corgiat unexcused. Approximately 20 citizens and Superintendent Gary Speckmann were also present.

The Chairman informed the group that the name is not permanent. He further stated needs to be addressed as follows:

1. Name for plan.
2. Issue of closing during deer season.
3. Options of dealing with intersection of Hwy. 10 in Amherst Jct.

Written communications were received from Dean A. Zuleger of Wisconsin Potato & Vegetable Growers Association, Inc., and Mark Arentsen of the Village of Plover.

Jim Zach of Custer spoke in favor of the trail. It is a great asset in a scenic area of the county. He spoke in favor of parallel horse and bike trails. Perhaps one or two strands of wire could be strung as compromise.

Roy Perzinski of Stevens Point wants fencing. He said horses, ATVs and hikers are already going off the trail.

Dave Hyer of Plover feels fencing is needed in both animal and crop areas. Would be visible reminder for persons during crop spraying. Those growers bordering the Village of Plover have learned how to control spraying and not create problems with home owners. This should help allay the fears of the growers.

Myron Herman of Stevens Point referred to a Chicago Tribune article pertaining to a trail in Vermont.

LeRoy Buza of Stevens Point has concern for area that needs fencing in non-animal area. Second concern is closing trail during gun season. Third concern is question on easement from Woyak Park to beginning of trail.

Debbie Boers of Amherst Jct. feels it would be historically correct to use either name - Tomorrow River or Wisconsin Central. Is in favor of parallel trails. Has three concerns. Winter use of 50 MPH for snowmobiles - could be conflict with skiers - safety issue. Confusion in crossing Hwy. 10 - separate trails on both sides - safety is not addressed because people will cross anyway. What parking access will available for trucks and horse trailers?

Mary Adamczak of Stevens Point likes separate trails and Tomorrow River name.

Lori Schmidt of Stevens Point rides horses on trails now. Check with DNR to see if that is allowed.

Keith Omernick of Amherst asked about uses permitted. Concern is to have dog sleds on trails.

Jeff Herman of Stevens Point asked if we will charge to have tractor run over the tracks. Speckmann said that should present no problem.

Jim Krems of Stevens Point said in other trails crossings are made by cattle and vehicles.

Lisa Cook of Amherst wondered if snownobiles would run 24 hours. Suggested closing time. Such times are already from 10:30 PM to 7:00 AM within 150 feet of house. Speed must be 10 MPH.

Ron Borski of Amherst has concern about access. What will happen when people park on roads in non-access areas? What is cost to county - $250,000 not including fencing.

Marge Vocka of Amherst wondered if ISTEA funding would be used.

Jeanne Dodge of Custer asked how long for written comments to be submitted.

Kathy Herman asked why ATVs would not be allowed.

Hearing adjoured at 8:08 PM.

Respectfully Submitted

Bill Zimdars

Bill Zimdars
Secretary

PORTAGE COUNTY PARK COMMISSION
Regular Meeting
July 8, 1997

The meeting of the Portage County Park Commission was called to order by Chairman James Gifford at 4:30 P.M. in the Lake Emily Upper Lodge at Lake Emily Park. All members present except Bill Zimdars, excused. Also attending were Todd Gates, Clarence Hintz, Lonnie Krogwold, Al Gavin, Jeanne Dodge, Supervisor Marty Wacker, Superintendent Gary Speckmann and about six citizens.

Moved by Dan Trainer and seconded by Jerry Corgiat to approve the minutes of the June 5, 1997 meeting as mailed. Motion carried.

Moved by Richard Purcell and seconded by Jerry Corgiat to approve the vouchers submitted by the Parks Department for payment. Motion carried.

Superintendent Speckmann read a letter from Larry Fritsch thanking Gary for the help with getting benches for the Green Circle on his property. Mr. Fritsch sent two checks - one to cover the cost of the benches and one for $100 for a donation. Speckmann read a letter from Judy Konkol regarding their lodge rental at Standing Rocks. She stated that Standing Rocks was a great area but they were wondering if a swing set and basketball hoop could be put up. Speckmann said there would be no room for swings but they could look at the possibility of putting up a basketball hoop. Speckmann received a letter from Michael Patoka thanking the Lake Emily staff for their help when he had trouble with his vehicle while camping. Chairman Gifford read a letter from the Corporation Counsel regarding the lease revision between Portage County and the Wildlife Center. The final issue is the security deposit of $4,000. Dan Golden is proposing that a joint account at Bank One be set up that will require signatures of both a Wildlife Center representative and a Portage County Parks Commission representative before any amount may be withdrawn. This item was not on the agenda so action will have to be taken at the next meeting.

Speckmann presented his monthly report to the Park Commission. Moved by Richard Purcell and seconded by Mary Pat Linton to approve the Superintendent's report as presented. Motion carried.

Discussion was held on comments regarding the Tomorrow River State Trail Master Plan - Public Review 5-8-97. Chairman Gifford advised that a fax was received from the Town of Stockton Board which reviewed the Tomorrow River State Trail master plan draft. The following action was taken. The Board moved that fencing and gates be provided on Trail Right of Way through the Township at no expense to the landowner and or the township as indicated by the Wisconsin Joint Committee on Finance motion #5009. Chairman Borski moved in addition to the Tomorrow River Master Plan address the Ag practices of the farming community in the Town of Stockton. Portage County Parks Commission to work with adjacent landowners and to continue to resolve conflicts. Supervisor Dodge moved that the Portage County Parks Commission provide signage relating to no parking on all Town of Stockton roads that intersect with the Trail. Portage County is to purchase land within the Township midway between Lake Emily and the westerly border to provide space for parking and facilities areas. A letter was received on Town of Stockton letterhead from the Stockton Township Parks Commission which

expressed their support for the presence of this park in their township and the master plan. The Stockton Parks Commission felt that the draft plan reasonably addresses concerns by fencing livestock lands and by creating a trail fence advisory committee. It appeared to them that much of the trail is above or below the surrounding land and has steep side slopes that will discourage people from getting off the trail. Also some of the areas are already or will become densely wooded within the 100 foot right-of-way which will form a natural boundary and barrier to wandering off the trail. They suggest that signage be erected at trail access point to educate users of private lands along the trail, damage that could occur to crop lands by trespassing and potential penalties to going off the right-of-way. Historically, trails have had minimal vandalism and trespassing problems. A letter was received from the Village of Plover and the Wisconsin Potato & Vegetable Growers Association regarding the Master Plan. A letter was received from the Tomorrow River Tomorrow Inc regarding the Master Plan and stating that they were pleased with the use of the name "Tomorrow River State Trail" and they are requesting that serious consideration be given to reducing the snowmobile speed limit below 55 mph on the trail. One of the Board members suggested presenting a request to the DOT for a flashing amber caution light at the intersection at CTH A/Packer Avenue which could be activated by a push button. This would not impede traffic on Hwy 10 but would warn drivers of potential hazards. Bill Peterson commented that the Stockton Park Commission wrote a very good, sensible letter with some very good comments. A citizen attending the meeting stated that at one of the first informational meetings on the trail, the Park Commission had said that everything would be fenced and they were very open to fencing. Clarence Hintz advised that the DNR owns the land and fencing should be followed according to state statutes. Chairman Gifford said that fencing would be considered on a case to case basis. Meg Erler commented that there is no fencing on the Green Circle trail and there have been no problems in the Village of Plover. People are very mindful of the area. We should take a look at the history of the state. Many areas that now have bike trails have found it to be an economic boon to the community. Al Gavin commented that the Town of Stockton is 90% agricultural and other areas where trails are have more woods. Mr. Hintz stated that he has been to the Marathon, Brown and Shawano County trails and they have only fencing for dairy cows. Jerry Corgiat advised that the Commission has been respectful of landowners concerns. If the landowner has a problem, we have been responsive to the problems. These trails have worked in many areas of the state. Meg Erler inquired whether the trail will be able to link up with the Green Circle trail. Mr. Gifford answered that there is a problem with the I39 underpass and some ideas are being examined. The Master Plan Committee will meet to make modifactions to the Master Plan. A list of items that will need to be addressed regarding the Master Plan will be sent to the Park Commission Members prior to the July 24 meeting.

Discussion was held on the Tomorrow River State Trail proposed Memorandum of Agreement. Chairman Gifford advised that some changes needed to be made to the Memorandum of Agreement. On page 1, IV., number 3 a sentence was added, "DNR will not accept title to or purchase land which has been acquired by the County for trail purposes through the eminent domain process." On page 3, 9A. after the last sentence will be added, "County parks personnel will enforce county park ordinances and issue citations." On page 4, under VI number 3, a sentence will be added at the end, "If request denied by County, landowner can appeal to the DNR." Moved by Dan Trainer and seconded by Purcell to approve the change to 9A page 3. Motion carried. Moved by Jerry Corgiat and seconded by Mary Pat Linton to approve the change to page 4 VI number 3. Motion carried. Moved by William Peterson and seconded by Mary Pat Linton to approve the amended Memorandum of Agreement for the Tomorrow River State Trail. Motion carried.

Discussion was held regarding the Heartland Nordic Ski Club request to conduct a cross-country ski race at Standing Rocks on January 4, 1998. Marty Wacker informed the Park Commission that during the last few years, the race has been held on the last weekend of January and the ski club would like to move it to the first weekend of January to try to avoid other races held at the same time. Chairman Gifford advised that the new loop should not be used for the race in order to keep some trails open for skiers who would like to ski at Standing Rocks but do not want to enter the race. The race is usually done by 11:30 or noon and has never conflicted with the downhill ski area. Moved by Jerry Corgiat and seconded by William Peterson to approve the Heartland Nordic Ski Club's request to conduct a cross-country ski race at Standing Rocks on January 4, 1998. Motion carried.

Superintendent Speckmann gave an update regarding outlay. He will be meeting with the Finance Committee regarding the purchase of a new dump truck. A snow plow and sander will also be purchased with the dump truck. The total of the dump truck with snow plow, sander, box, and hoist will total $79,490.

The next regular meeting of the Park Commission will be held on Thursday, July 24, 1997 at Collins Park Lodge at 4:30 p.m.

Gifford adjourned the meeting.

Mickey Cychosz

Mickey Cychosz
Recording Secretary

PORTAGE COUNTY PARK COMMISSION
Regular Meeting
July 24, 1997

The meeting of the Portage County Park Commission was called to order by Chairman James Gifford at 4:35 P.M. in the Collins Lodge at Collins Park. All members present except Dan Trainer and Jerry Corgiat excused. Also attending were Paul Czarniecki, Jim Zach, Leroy Buza, Carl Docka, and Superintendent Gary Speckmann.

Bill Zimdars mentioned that the minutes were confusing in the sixth paragraph where it mentioned that a fax had been received from the Town of Stockton Board. It should read that the Stockton Board moved that fencing and gates be provided..... Moved by Marty Pat Linton and seconded by Richard Purcell to approve the minutes of the July 8, 1997 meeting as amended. Motion carried.

Chairman Gifford updated the Park Commission regarding the Sunset lease. The Church's concerns regarding the insurance issue can be resolved by adding them to the County's insurance under an umbrella policy for $25.00. This issue would have to be placed on the next agenda for action.

William Peterson mentioned that the Highway Department may be looking at contracting out for the landscaping around the Highway Department Building. Superintendent Speckmann stated that Jerry Glad is looking to add staff for landscaping for the industrial park. Speckmann has been approached by the new Maintenance Department Supervisor regarding whether Park staff could do the mowing and snowplowing around the buildings that they take care of. Speckmann asked him to figure out how many hours that would take and the Maintenance Supervisor came up with 14 hours for mowing at the Courthouse and 10 hours at the Gilfry building. The Parks Department would not get involved with the snowplowing. In the fall, Speckmann will find out how much time it really takes by actually mowing around these buildings. William Peterson reported on Risk Management. There is a training regarding backhoes for $120.00 per person. Speckmann said he didn't think it was open to everyone. The Highway Department had requested the backhoe to dig out trenches. Mr. Peterson also reported on the workman's compensation claims for the Parks Department.

Discussion was held on the Tomorrow River State Trail Master Plan 1997 - Final Draft 7-10-97. Chairman Gifford read through the changes made for the final draft. Jim Zach asked about the subdivision in the Town of Stockton. People should have access to the trail. LeRoy Buza stated that he is representing the people from the subdivision and the people living in the subdivision do not want the trail. On page 9, number 4, the words "construction and" should be removed from the sentence starting with "Landowners participating in cost-sharing for fences". On page 14, under seven, third paragraph "construction and" should be removed. Mr. Buza inquired whether the County would fence the portion of the trail in the Town of Stockton that the Stockton Board requested. Mr. Gifford answered that the County will not fence that portion of the trail and all written requests will be added in the appendix of the Master Plan. Moved by William Peterson and seconded by Richard Purcell to approve the Master Plan as revised. Motion carried.

Discussion was held on the lease revision for the Central Wisconsin Wildlife Center. Paul Czarniecki attended the meeting and understood that the letter of credit was to be reduced to $4,000. Brian Formella received some communication from Dan Golden that still suggests an approach that seems to harken back to the joint account idea which was discussed several weeks

ago. The Central Wisconsin Wildlife Center still plans to be out by December 1, 1997. Chairman Gifford suggested passing Brian Formella's revision to the agreement. Park Commission members stated that they were not sure what those revisions were and would like to have Brian type up the agreement with everything in formal form, get it out to everyone and have it on the next agenda.

Discussion was held on the Tomorrow River State Trail proposed Memorandum of Agreement. The DNR is not ready with the final description of the property to complete the agreement. Chairman Gifford read through the changes in the Memorandum of Agreement. The Memorandum of Agreement cannot go to the County Board in August. Moved by Bill Zimdars and seconded by Mary Pat Linton to table the Memorandum pending materials for completion from the DNR. Motion carried.

Discussion was held on sealed bids for the used equipment sale. The Portage County Parks Department accepted bids for the sale of the 1973 John Deere 350 BW bulldozer. Eighteen people bid on the bulldozer. The bids ranged from $400 - $10,025. Roger Kluck submitted the high bid of $10,025. Superintendent Speckmann had appeared before the Finance Committee to request that the money from the sale of the bulldozer be placed in the maintenance replacement fund. The Finance Committee agreed to place $3,000 into an account for bulldozer work and the remaining funds would go into the general fund. The bids submitted for the 1977 Chev 3/4 ton, 4 WD pick-up truck that was for sale ranged from $250-$1500. Mike Mayek submitted the high bid of $1500. The money from the sale of the truck will be placed in the maintenance replacement fund. Moved by Richard Purcell and seconded by Mary Pat Linton to accept the high bids for the bulldozer and the truck. Motion carried. Moved by Mary Pat Linton and seconded by Bill Zimdars to authorize the Superintendent to sell the equipment to the next bidder if the first bidder decides to back out. Motion carried.

Discussion was held on the 1998-2003 Capital Improvement Projects. Superintendent Speckmann distributed the proposed six year capital improvement program and the estimated costs. Discussion was held on the Collins Park Bathroom and Open Shelter. Speckmann informed the Commission that the bathroom vault is leaking and the entire bathroom facility will need to be torn down and replaced. Park Commission members decided to move the Collins Park Bathroom and Open Shelter up to 2001 and in 2002 have a Land Acquisition Reserve Account for $50,000. Moved by Bill Zimdars and seconded by Mary Pat Linton to approve the projects as amended. Motion carried.

Speckmann informed the Commission that the county will be having a clean sweep in September. The Parks Department has found more hazardous materials and it would cost about $500 to go through the clean sweep program. If we have someone assist during the sweep program, they might waive the cost. Jim Gifford had recently talked to Gene Edwards and Gene had stated that there might not be a cost.

Speckmann notified the Commission that he would be gone for the next two weeks.

The next regular Park Commission meeting will be Thursday, August 14, 1997 at 4:30 P.M. at DuBay County Park Lodge.

Gifford adjourned the meeting.

Mickey Cychosz

Mickey Cychosz
Recording Secretary

Town Of Stockton

P.O. Box 114
Custer, WI 54423
592-4142

July 8, 1997

James Gifford
Portage County Parks Commission Chairman
1516 Church Street
Stevens Point, WI 54481

The Town of Stockton Board met July 7, 1997 and reviewed the Tomorrow River State Trail master plan draft.

The following action was taken. Supervisor Gavin and second by Supervisor Dodge that fencing and gates be provided on Trail Right of Way through the Township at no expense to the landowner and or the Township as indicated by the Wisconsin Joint Committee on Finance motion #5009. Passed vote unanimous.

Chairman Borski moved in addition to the Tomorrow River Master Plan address the Ag practices of the farming community in the Town of Stockton. Portage County Parks Commission to work with adjacent landowners and to continue to resolve conflicts. Supervisor Dodge second, passed vote unanimous.

Supervisor Dodge moved that the Portage County Parks Commission provide signage relating to no parking on all Town of Stockton roads that intersect with the Trail. Portage County to purchase land within the Township midway between Lake Emily and the westerly border to provide space for parking and facilities areas. Gavin Second passed vote unanimous.

Copy of this letter is being faxed to Gary L. Speckmann Park Superintendent with the original signed copy to be delivered to Chairman James Gifford at the Lake Emily Park meeting July 8, 1997

Chairman Ronald Borski

Supervisor Al Gavin

Supervisor Jeanne Dodge

Steve S. Haka
Town of Stockton Clerk

Town Of Stockton

P.O. Box 114
Custer, WI 54423
592-4142

JULY 2, 1997

TO: GARY SPECKMANN
PORTAGE COUNTY PARK SUPERINTENDENT

FROM: STOCKTON TOWNSHIP PARKS COMMISSION
JIM ZACH MD, CHAIR J. Zach

REGARDING: TOMORROW RIVER STATE TRAIL

THE STOCKTON PARKS COMMISSION HAS REVIEWED THE DRAFT OF THE MASTER PLAN. ON JULY 2, WE VIEWED THE TRAIL FROM KENNEDY AVENUE TO ARNOTT. WE ARE EXPRESSING OUR SUPPORT FOR THE PRESENCE OF THIS PARK ON OUR TOWNSHIP AND THE MASTER PLAN. WE FEEL THE TRAIL WILL BE GREATLY APPRECIATED IN YEARS TO COME BY MANY STOCKTON RESIDENTS, ESPECIALLY IF RESIDENTIAL DEVELOPMENT CONTINUES AS IS EXPECTED IN STOCKTON. THE FENCING ISSUE REFLECTING FEARS OF TRESPASSING ONTO PRIVATE LANDS BY TRAIL USERS SEEMS TO BE ONE OF THE GREATEST CONCERNS TO SOME RESIDENTS. THE STOCKTON COMMISSION MEMBERS APPRECIATE THAT THEY HAVE THESE CONCERNS, BUT IN VIEWING THE TRAIL IT SEEMS TO US THAT THE DRAFT PLAN REASONABLY ADDRESSES THESE CONCERNS BY FENCING LIVESTOCK LANDS AND BY CREATING A TRAIL FENCE ADVISORY COMMITTEE. IT APPEARS TO US THAT MUCH OF THE TRAIL IS ABOVE OR BELOW THE SURROUNDING LAND AND HAS STEEP SIDE SLOPES THAT WILL DISCOURAGE PEOPLE FROM GETTING OFF THE TRAIL. ALSO SOME OF THE AREAS ARE ALREADY OR WILL BECOME DENSELY WOODED WITHIN THE 100 FOOT RIGHT-OF-WAY WHICH WILL FORM A NATURAL BOUNDARY AND BARRIER TO WANDERING OFF THE TRAIL. WE ARE SUGGESTING THAT SIGNAGE BE ERECTED AT TRAIL ACCESS POINTS TO EDUCATE USERS OF PRIVATE LANDS ALONG THE TRAIL, DAMAGE THAT COULD OCCUR TO CROP LANDS BY TRESPASSING AND POTENTIAL PENALTIES TO GOING OFF THE RIGHT-OF WAY. HISTORICALLY, TRAILS HAVE HAD MINIMAL VANDALISM AND TRESPASSING PROBLEMS. IF PROBLEM AREAS ARE IDENTIFIED, THE TRAIL FENCING ADVISORY COMMITTEE SHOULD BE ABLE TO DEVELOP SOLUTIONS.

TRT
Tomorrow River Tomorrow, Inc.

P.O. Box 126, Amherst Junction, Wisconsin 54407

1 July 1997

To the Parks and Recreation Committee:

On behalf of Tomorrow River Tomorrow (TRT), I would like to take this opportunity to write in support of a few of the points of view expressed last Thursday evening at the hearing regarding the master plan for the Tomorrow River State Trail.

First of all, we are most pleased to see your use of the name "Tomorrow River State Trail" on the plan. We had proposed this name some months ago and continue to support it in preference to any others that have been presented. We look forward to seeing this name formally adopted as the official name.

We request that the Committee and planning participants give serious consideration to reducing the snowmobile speed limit below 55 mph on the trail. During our meeting on 23 June, a number of our Board members anticipated considerable foot traffic on the trail. For this reason, they expressed concerns about the ability of both pedestrians and snow machines to stay safely out of each other's way. I attended your 26 June meeting and heard someone say that they did not believe there would be many skiers, sled dog teams, or other foot traffic on the trail. Perhaps I misunderstood and the speaker meant that these users would not be directly on the snowmobile trail. This would certainly enhance everyone's safety but it may not be sufficient. Snowmobiles cannot be maneuvered quickly at high rates of speed. Children, dogs in sled teams, and even adults do not always move quickly or predictably out of the way. Given the number of miles of snowmobile trails available in Portage County which are dedicated to that sport, we respectfully request that the speed limit on the Tomorrow River State Trail be given special consideration since it will be used by other sports enthusiasts.

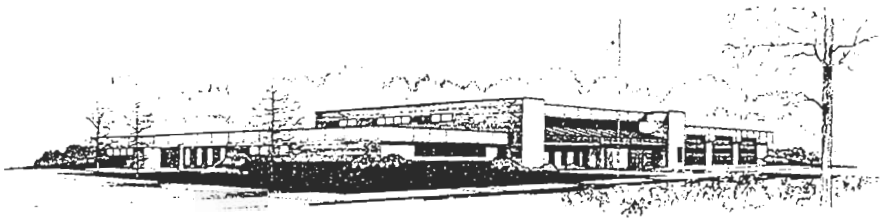
Finally, we support a temporary alteration in the trail route to provide a Hwy 10 crossing at CTH A/Packer Avenue. The trail will receive more use and be more safely used if it is completely open. One of our Board members suggested presenting a request to the DOT for a flashing amber caution light at the intersection which could be activated by a push button, similar to the light in front of Edgewater Manor in Stevens Point. This would not impede traffic on Hwy 10 but would warn drivers of potential hazards.

We appreciate the opportunity to comment on the excellent progress which is being made on the trail. In its initial stages, this was our primary project. We will continue to support it in any way that we can.

Sincerely,

Susan K. Voeks

Susan K. Voeks, Treasurer
Tomorrow River Tomorrow



General Government
715-345-5250
Fax 715-345-5253
Clerk
President
Treasurer
Administrator
Zoning Administrator
Assessor
Building Inspection

VILLAGE OF PLOVER

2400 Post Road
P.O. Box 37
Plover, WI 54467

Fire Department
(Non Emergency)
715-345-5310
(Emergency) 911
Police Department
715-345-5255
Street Department
715-345-5257
WWTP Department
715-345-5259
Water Department
715-345-5254

June 25, 1997

Gary L. Speckmann
Parks Superintendent
Portage County
1516 Church St.
Stevens Point, WI 54481

Dear Gary,

I am writing on behalf of the Village in regard to the Tomorrow River State Trail Draft Master Plan and have several comments about the Plan.

As you know, the Village, in the spirit of intergovernmental cooperation, has offered the use of Woyak Park as a trailhead facility. This offer provides substantial trail development savings to Portage County. Restroom facilities funded and built by Plover/Whiting Youth Atheletics will be open this summer. A large parking area was installed by the Village several years ago. The development plan for Woyak Park shows a future parking lot on the east border of the park. We would like to discuss construction of this lot with the County. We should also discuss development of an agreement outlining the responsibilities of each party regarding the use of Woyak Park as a trailhead facility. I believe it would be best for the County to draft the initial document for review by the Village.

Regarding the trail itself, it is my understanding that the easement along the portion of the trail between Hoover Ave. and Kennedy Ave. is planned for the north side of the railroad right of way. This would bring the trail within 300-400 feet of the Black Forest subdivision just west of Kennedy Ave. as well as the Lake Care-Re Estates subdivision just east of Hoover Ave. For most trail uses, subdivision residents will probably be unaware of the Trails existence, however snowmobiling will add a noise factor that could be a nuisance to subdivision residents. It is possible that additional homes could be constructed in the undeveloped area between the Trail and the southern boundary of the Black Forest subdivision. We have received inquiries in the past about home sites in this location. These new homes would be directly adjacent to the Trail. The development plan for the Trail should include vegetative screening along the north edge of the right of way to reduce noise intrusion into the subdivisions. The County should investigate different types of screening to determine which would be best for winter noise abatement.

My next comment also has to do with winter Trail use. The Village does not clear parking lots or operate restroom facilities adjacent to baseball fields during the winter. This would be the case for the existing parking lot and restrooms adjacent to Woyak Park as well as the parking lot planned for the east side of the park. While the Village is happy to provide access to the Trail via the Woyak Park facilities, we would expect the County to keep the parking areas cleared and the restrooms cleaned and stocked for winter users. Winter restrooms are available at the Easlan/Weslan Park immediately north of Woyak Park, however these are only open during public skating hours.

Dorothy Rosenbaum, a member of the Plan Commission and a resident of the Black Forest subdivision, picked up a copy of the plan recently and made a number of written comments about the draft plan. A copy of her comments is enclosed. I believe Dorothy has some good points that should be taken into account. Because the Village segment is only a short section of the total trail, I agree with Dorothy that it may be best to keep horses off the Village portion of the trail, both from a health standpoint and also because of potential conflicts with railroad operations.

Thank you for the opportunity to comment on the draft Plan. We look forward to working with the County as work on this project progresses.

Sincerely,

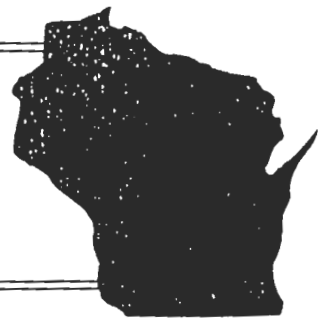
Mark Arentsen
Village Administrator

cc: Village Board
Bill Konkol, Public Works Manager
Clarence Hintz, Portage County Board Chairman

Wisconsin Potato & Vegetable Growers Association, Inc.

P.O. Box 327 Antigo, Wisconsin 54409-0327

Telephone 715/623-7683 Fax: 715/623-3176 email: wpvga@newnorth.net



June 23, 1997

Mr. James Gifford, Chair
Portage County Park Commission
c/o Gary Speckman
1516 Church St.
Stevens Point, WI 54481

Dear Mr. Chairman:

I am writing on behalf of the Wisconsin Potato & Vegetable Growers Association to express my deepest concern with regards to the Master Plan developed for the Tomorrow River State Trail - concerns that I hope will be entered into the public record at the June 26, 1997 hearing.

The WPVGA believes that the Portage County Parks Commission is making a grave mistake in not providing fencing for farmers (of all production types) whose land is adjacent to the proposed trail. The current plan only provides fencing for livestock/dairy operations. Our opinion is based on the fact that a portion of this trail dissects land that is used to grow vegetable crops where fertility, pest management, and cultivation decisions need to be made. Some of these decisions are made on an immediate basis and require swift intervention. Other decisions are made by the processors who contract for the crop without grower knowledge. This type of environment leads to the possibility of equipment and supplies being utilized that should come with some type of protection for the recreationalists. **The WPVGA believes that this protection should come by way of fencing.**

In discussion with the Assistant Superintendant of Parks for Marathon County, this is exactly the decision that was made in the construction of the Mountain Bay Trail. To afford peaceful coexistance between urban recreationalists and rural residents, fencing was installed on both sides of the path. Similar considerations have been made in other critical ag areas in the State where bikepaths have been developed. It is our hope that the Portage County Parks Commission would exhibit the same understanding for its resident farmers??

In conversations with County Board Chairman Clarence "Clem" Hintz, there was an agreement that fencing for all production-type farmers could be accomodated. Mr. Hintz suggests a single strand wire fence as a possibility. Has this concept been discussed by the Commission? Until such conversations take place, we would hope the submittal of the Master Plan would be placed on hold.

Finally, Section 4.4 (B) (5) reiterates the concern the Joint Committee on Finance for the farmer's right to conduct business and the necessity of fencing to preseve that right. It is the WPVGA's opinion that the Parks Commission has ignored the issue with a token attempt at fencing and the creation of a Advisory Committee on Trail Fencing. The WPVGA believes that the legislative intent of the Joint Committee on Finance supercedes any WDNR policy on fencing non-park lands.

In short, the WPVGA stands opposed to the current Master Plan. Our request is that Chairman Gifford honor his previous agreement and provide fencing for crop farmers along the trail. If this does not happen, it will be the Association's pleasure to inform the Joint Committee on Finance that the Parks Commission has not operated in good faith. In addition, we would urge the Joint Committee on Finance to delay future development of the trail until these concerns are resolved.

In conclusion, every county resident from horseowner to snowmobiler to cross country skier to non-property tax paying UWSP coeds have had their recreational needs addressed by the Commission. What about the farmer? All we do is pay our disproportionate share of property taxes and provide food. Last year we did this at a $1200/acre loss. Perhaps the Portage County Parks Commission simply does not care about their farming community? We know that they have little regard for the true safety of recreationalists or this issue would not have to be debated.

Respectfully,

Dean A. Zuleger
Executive Director

P.S. - I would have delivered this in person, however I am working out the deal of our pesticide reduction plan with the World Wildlife Fund. It's amazing that we have to go all way to Washington, D.C. to be recognized as socially responsible farmers. DAZ

APPENDIX C

COUNTY BOARD RESOLUTION

PORTAGE COUNTY

1516 Church Street
Stevens Point, WI 54481

(715) 346-1351
FAX (715) 346-1486

Roger Wrycza, County Clerk

CERTIFICATION

I, Roger Wrycza, Clerk of the County of Portage, Wisconsin do hereby certify that the foregoing is a true and correct copy of Resolution/Ordinance No. 128-96-98 which was introduced and adopted by a vote of 25 for and 1 against at an Adjourned Session of the Portage County Board of Supervisors, held on the 16th day of December, 1997, and recorded in the minutes of said meeting, a quorum of members being present.

In testimony whereof I have hereunto set my hand and the seal of the County of Portage, Wisconsin, this 17th day of December, 1997.

Roger Wrycza
Portage County Clerk (SEAL)

RESOLUTION NO. (95-98)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE PORTAGE COUNTY BOARD OF SUPERVISORS:

RE: Approval of a Multiple Use Trail Master Plan and Easement

WHEREAS, the Wisconsin Department of Natural Resources (WDNR) has acquired the 13 mile railroad right of way between Kennedy Avenue and the Portage-Waupaca County line and acquired easements of two miles from Hoover Ave to Kennedy Ave and from Highway 161 eastward one-half mile for recreational trail use;

WHEREAS, pursuant to Resolution 97-94-96 adopted by the County Board of Supervisors of the County of Portage at its meeting of June 20, 1995, Portage County has entered into a Memorandum of Agreement (MOA) with the WDNR dated October 31, 1997 for the 15 ½ mile right of way in Portage County under which the DNR grants an easement to the County and the County develops, maintains, and operates the trail; and

WHEREAS, the Portage County Park Commission has completed, reviewed, and approved the Tomorrow River State Recreation Trail Master Plan;

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the County of Portage does hereby adopt and approve the Tomorrow River State Recreation Trail Master Plan.

Dated this 16th day of December, 1997.

Respectfully submitted,

PORTAGE COUNTY PARK COMMISSION

JAMES GIFFORD, PRESIDENT

Excused
MARY PAT LINTON

WILLIAM PETERSON, VICE PRESIDENT

Excused
RICHARD PURCELL

W. WILLIAM ZIMDARS, SECRETARY

DAN TRAINER

JERRY CORGIAT