

TRAILS TASK FORCE

June 12, 2019

Committee Members Present: Deb Root (Chair), C. Clark, D. Decker, W. Dibble, K. Dirlam, G. Hanchett, B. Harris

Others Present: K. Ash (CCAC), J. Binga (NSYORVA), R. Buck (ATV Trails), J. Cleveland (NYS DEC), M. Denhoff, M. Healy, P. Hopkins (Allegany County Federation of Snowmobilers), C. Knapp, B. Riehle, F. Sinclair (CCAC), N. Tucker (NYS DEC), M. Washer

Media Present: C. Dutton – *Cuba Patriot*

Call to Order: The meeting was called to order at 2:32 p.m. by Trails Task Force Chair Debra Root.

Approval of Minutes

A motion was made by Legislator Decker, seconded by Legislator Harris, and carried to approve the Trails Task Force minutes of May 15, 2019.

Overview of Trails Task Force

Task Force Chair Debra Root briefly went over the mission of the Trails Task Force as well as the timeline they hope to follow to achieve their goals.

Department of Environmental Conservation Presentation

Department of Environmental Conservation (DEC) Senior Forester Nathaniel Tucker attended the meeting to give a brief overview of the Bureau of Forest Management. Mr. Tucker introduced Senior Forester John Cleveland who was also in attendance.

Mr. Tucker began by stating that the Bureau of Forest Resource Management's mission is "to conserve, improve, and protect New York's natural resources and environment, and to prevent, abate, and control water, land, air pollution in order to enhance the health, safety, and welfare of the people of the state, and their overall economic and social well-being." Mr. Tucker continued that they work for the division of lands and forest specifically state land management, adding that the DEC is broken into 9 regions. Allegany County currently has 23 state forests within 19 towns that total 46,382 acres. Mr. Tucker went on to say that recreation use is broader on state forest land than any other state land classification and listed the following activities that are permitted on state forest land:

- Hiking
- Hunting
- Fishing
- Trapping
- Wildlife viewing
- Cross-country skiing
- Snowshoeing
- Horseback riding
- Snowmobiling
- Biking
- Camping
- Canoeing
- Kayaking
- Birding

Mr. Tucker provided the following breakdown of the 165.6 total miles of recreational trails:

- There are 50.7 miles of public forest access roads
- There are 7.1 miles of haul roads
- There are 103.2 miles of snowmobile trails
- There are 14.3 miles of horse and ski trails
- There are 33.1 miles of multipurpose trails
- There are 15 miles of single-use foot trails
- There are 14.7 miles of permitted ATV trails

Task Force Chair Root asked if haul roads are for logging as well as what the multipurpose trails are primarily used for. Mr. Tucker stated that haul roads are used for logging, and multipurpose trails are used for anything that is permissible on state forest land.

Trail Systems

Mr. Tucker briefly discussed the following five trail systems:

West Almond Trail System

The West Almond Trail System has 28.86 miles of trails, multiple trailheads, and parking areas as well as two equestrian facilities.

WAG Trail

The WAG Trail has 9 miles of rail trails that travel from the Pennsylvania state line to Wellsville, NY. Mr. Tucker noted that this is a tremendously popular trail that was acquired from the County several years ago, adding that the DEC has poured tremendous resources into it over the last couple of years.

Finger Lakes Trail/North Country Trail

The Finger Lakes Trail/North Country Trail has 561 miles of trail across New York State with 15 miles of single-use foot trails being on state forests in Allegany County. Legislator Harris asked if the Finger Lakes Trails have experienced any issues with prohibited use of the trails. Mr. Tucker indicated mostly mountain biking and horses, adding the trail is maintained to be a foot use trail, and they would like it to just be that. Mr. Dirlam stated he recently spoke with Dick Hubbard, former president of Finger Lakes Trails who indicated there is no flexibility in their charter. It's a foot use trail, and they aren't changing it. Mr. Tucker noted that while multipurpose trails are a great idea, they are hard to pull off.

Hidden Falls Trail

The Hidden Falls Trail on Allen Lake State Forest has 1.5 miles of foot trails that lead to a "hidden gem."

Allegany County Federation of Snowmobilers

The County-wide network of Snowmobile Trails covers 103 miles of state forest.

Improvements to Trails

Mr. Tucker indicated that although their resources are somewhat limited, the DEC is currently working on improving 3 trails (trails 5, 9, and 10) in the West Almond Trail System while also continuing to work on the WAG Trail. The DEC operations work on segments of trails each year as part of their annual work plan.

Future Trail Plans

Mr. Tucker briefly discussed their 10-year plan stating that they plan to upgrade and re-route the West Almond Trail System, upgrade and expand the Coyle Hill Trail System, expand and connect the Hidden Falls Trail, put new trails on the Horse Trail System on Lost Nation State Forest as well as adding new mountain biking trails on Plumbottom State Forest.

Grants and Partnerships

Mr. Tucker indicated that they have received the NYSOPRHP Snowmobile Grant, donations from Jones Memorial Hospital and other local businesses, and also have volunteer stewardship agreements. Mr. Tucker briefly discussed the various features that these resources have allowed them to provide on the trails. Legislator Harris noted the lean-to on Bully Hill that is a hot spot for Troop 19, adding they love to go there.

Motorized Vehicles on State Forests

Mr. Tucker stated that 50.7 miles of the public forest access roads are open to motor vehicle use, noting that they are trying to secure funding to upgrade roads; however, it takes time and a lot of money. Legislator Harris asked if these roads are sometimes gated and what the general reason is for that. Mr. Tucker stated, yes, they are gated for safety purposes that vary, but could include a culvert washing out and creating a sink hole, a tree down, or just general maintenance. Legislator Harris asked if ATVs have access to these roads. Mr. Tucker, stated, no, ATV use is fairly restricted.

Motorized Access Permit for Peoples with Disabilities (MAPPWD)

Mr. Tucker stated that ATV use on state forests is restricted to users with a valid MAPPWD. There are 14.7 miles of CP-3 trails on Palmer's Pond and Coyle Hill; however, they are case-by-case permits. Mr. Tucker discussed the DEC policy of off-highway vehicle use on state land per Chapter 5 that states the following:

“Some people own and operate these types of vehicles as a relatively benign means of conveyance to access programs like hunting and fishing. Many off-road enthusiasts, however, enjoy a riding experience that includes characteristics such as challenging mud holes and steep hill climbs, as is often depicted in ATV manufacturer ads and on ATV club web pages. As discussed below, those types of uses, as well as other attributes of recreational ATV use **are not compatible with State Forest management goals and cannot be successfully managed on State Forest lands.**”

Mr. Tucker discussed the challenges to ATV use on state forests stating they recently conducted a year-long survey on their West Almond Trail System that resulted in conflicts between horse riding, hiking groups, and ATVs. Legislator Decker stated that there has been a

lot of interest from other ATV groups and snowmobiles being able to connect trails county to county and state to state, adding that it's a big feat but wonders if it can be accomplished. Mr. Tucker stated for snowmobiles, absolutely; however, when it comes to ATVs, the DEC will push for non-motorized use because of the issues they have experienced, adding they have a long history with ATV use, and it hasn't all been positive. Ms. Hanchett asked what type of issues they have experienced. Mr. Tucker indicated illegal off-roading that creates mud ruts and vegetation damage, law enforcement, local ordinances, complaints from other user groups, etc. Task Force Chair Root stated that there is also a demographic of older mature individuals who own side-by-sides who enjoy packing a lunch and going out with other couples to enjoy a day of riding in the outdoors. Ms. Root continued that there was a point in time when snowmobilers had a bad reputation but have since matured and asked if Mr. Tucker sees that same shift happening for ATV users. Mr. Tucker stated it certainly is a possibility. If all ATV and 4-wheeler users were responsible, they wouldn't be having these issues, adding it's the few breaking the rules that are making it prohibited. Mr. Tucker stated that even if it does take a shift, it would take a tremendous amount of paradigm and would have to happen at the Albany level or even higher.

Trail Conflicts

Legislator Harris asked what the greater conflicts are that they experience as well as what works well together on the trails. Mr. Tucker stated that horses prefer to be alone on the trails. Mountain bikers frighten horses, adding that hikers who are unsure how to approach horses can also be a problem.

Design/Construction

Legislator Harris asked if the DEC has experience in the design and construction of mountain bike trails. Mr. Tucker stated not in this region. They rely on the Mountain Biking Association. Task Force Chair Root referenced an International Trails Symposium that she attended in Syracuse that talked about trails not just being a cut path in the woods. They are engineered for the curves, corners, and tilts. Ms. Root asked if the state forest trails are mostly roads or trails through the woods. Mr. Tucker indicated that while their roads are engineered, their trails are not, adding that most were developed by a DEC student in the 70s. Mr. Dirlam asked if restrooms are prohibited or if it's just a matter of lack of funding. Mr. Tucker stated there are outhouses; however, he would have to look into the building of restroom facilities as it hasn't been in the County yet. Mr. Dirlam stated if they could look into and find out the rules, the County does have opportunities to place them.

Multiuse County-wide System

Mr. Tucker stated the DEC is willing to be a strategic partner for trails on public land and connecting existing systems such as the WAG Trail and the Genesee Valley Greenway State Park, noting their recent strategic acquisitions of the Chamberlain property and rail trails. Legislator Decker stated that as they continue to look into this system, they need to take into consideration that people will need access to restaurants, stores, etc., and asked what kind of problems Mr. Tucker envisions with that. Mr. Tucker stated with any natural resource, it can only handle so much use, and their biggest concern would be degrading. As for bolstering the County and economic development, Mr. Tucker indicated they have seen it and it's significant. Legislator Decker asked if ATVs would need to be registered. Mr. Tucker stated the DEC wouldn't have anything to do with that. Task Force Chair Root referenced the 8 towns who recently passed local laws allowing ATVs to ride on the roads. Ms. Root asked about seasonal trails and if Mr. Tucker sees any issues with trails that could be used for snowmobiling in the winter months but could also turn into an ATV trail. Mr. Tucker indicated that the soils our snowmobiles run on could not

sustain ATV use during the off-season; however, they did look at seasonal trails for the purpose of equestrian, but they received concerned feedback regarding going on and off private land.

NYS Off-Highway Recreational Vehicle Association (NYSORVA) Presentation

Jeff Binga, President of the NYS Off-Highway Recreational Vehicle Association (NYSORVA), attended the meeting to give an overview of his association as well as how they can assist in creating a County-wide Trail System. Mr. Binga has been president of the association since 2007, and they provide the political resources for ATV and off-highway users. NYSORVA is made up of individual members, clubs, and dealers. They have 27 clubs throughout New York State that they are hoping to grow. In 2007, they had 125,000 registered ATVs in New York State. At that time, Erie County had more registered ATVs than any other county in NYS, and still does today; however, they have nowhere to ride. The thought of catering to that group would be beneficial due to the proximity of where the most riders are. Mr. Binga noted that off-highway pertains to off-highway jeeps, motorcycles, LUVs, ATVs, etc. Mr. Binga stated it has been an uphill battle because everyone has the perception that off-highway users are renegades who rip up trails and cause havoc, adding that in the past that may have been the case, but there has been a shift in the recreation.

Economic Value

Mr. Binga stated that all of these activities, including ATV use, become economic forces that can accumulate big dollars. Mr. Binga referenced the various recreation seasons such as hunting, hiking, and snowmobiling, stating that they are considered an acceptable practice, and while there are conflicts, no one talks about them. Mr. Binga continued that people focus on ATVs and the primary reason why is because there are no designated trails, noting that 98 percent of nuisance riding goes away when you implement legal marked riding trails. Legislator Harris asked what is considered “fun” for ATV users. Mr. Binga stated they want destinations, but not open fields. Trails are generally 15 mph, and part of the engineered trails is to keep them in the woods so they can’t get up to any great speed. Legislator Harris asked if an established trail would be wide enough for 2-way traffic. Mr. Binga indicated that is up to the trail system. Typically, you could enter the system at any different point, so the assumption would be to have a 2-way trail; however, by law, the trail can only be so wide which is typically 10-feet. Legislator Harris asked if there is an established cost per mile for establishing trails. Mr. Binga stated it varies based on terrain. You have to lay out the property to accommodate the terrain, wetlands, invasive species, etc., and an engineered property should have a SEQR done as well. Mr. Binga noted that while there is always something that can hold it up, an engineered trail is the County’s best option. Legislator Harris asked what the best established ATV trail is on public land in Western New York that has consistent use and considered a good trail by riders. Mr. Binga indicated that those types of trails are up near the Adirondacks as well as in Lewis County, Oswego County, Franklin County, and St. Lawrence County, noting that those counties all have managed properties that also created a paid permit system. Legislator Harris asked if there is anything like that in or near our area. Mr. Binga indicated Pendleton, NY, who has a multi-use trail on an old railroad bed that is town owned.

Short-term Goals/ATV Clubs

Mr. Binga stated that the County’s short-term goals would be to identify areas that are on town, village, and County property that could immediately be turned into a riding area, and to then create clubs which ensures the trails are marked properly. Once the County has established the trail, riders will stay on it. Mr. Binga continued that clubs also encourage members to take an online safety course, especially those who purchase a vehicle for the first time as it guarantees they know how to operate it. Mr. Binga stated clubs also establish a code of rules, and by virtue

of not having a trail anywhere, an individual is left to do whatever nuisance riding they want. If the County has trails with clubs riding them, the nuisance riders aren't on them alone, and there is someone they have to answer to.

Mr. Binga stated if the County experiences a trail with continuous problems, they should start by installing a trail cam to identify the vehicle. If that doesn't work, the County should then call in the DEC, law enforcement, etc. Mr. Binga continued that NYSORVA gives authorities within the club to press charges on the landowner's behalf to those causing damage or creating a nuisance, adding that some clubs offer a monetary reward for turning in someone who is causing damage. Mr. Binga indicated that each vehicle also has to be registered and insured which includes property damage coverage. Mr. Binga noted that a lot of ATV owners get frustrated because they pay to register their vehicle, and then get nothing out of it because there are no established trails, yet there are horse trails being built all over and horse riders don't have to pay anything.

Mr. Dirlam stated that Mr. Binga has done a great job explaining a lot of the things the task force has been discussing. Mr. Dirlam referenced the club concept that snowmobiles use and have been using for a long time in order to have a trail system as well as having agreements with landowners, and noted that it appears NYSORVA is the overall organization that does this for ATVs. Mr. Dirlam asked if there is a local club that oversees our area that the task force can get directly in contact with. Mr. Binga indicated that currently there is no club in this area; however, he has spoken with an individual in the Cuba area who was working on getting roads opened up.

Registration Fees

Task Force Chair Root referenced that registration fees go back to the snowmobile clubs to pay for expenses, and indicated that same system does not currently exist with ATVs. Mr. Binga stated that model wouldn't work the same for ATVs because all of the snowmobile clubs connect. From an ATV perspective, it will be harder to do because snowmobiles ride on packed snow not ground that creates a footprint. Ms. Root asked if their vision of connecting from Cattaraugus County down to Pennsylvania is attainable. Mr. Binga stated it is feasible, but they need to create trailheads and expect pockets of riding areas, noting that each could have their own economic benefit. Mr. Binga continued that if ten to fifteen years down the road, the County has a successful County-wide Trail System, they could then try to open up more areas or ask the DEC to release parcels.

Utilities

Mr. Dirlam asked if Mr. Binga has any experience working with utilities. Mr. Binga stated that utility companies' main goal is to keep power running, so they don't care about the riding. Some utility companies can offer permits directly; however, if the utility company has an easement with the landowner, the County would need a permit as well as an easement from the landowner.

Funding

Mr. Binga stated unlike snowmobiles, they don't have any money from the state; however, ATV manufacturers such as Polaris and Yamaha offer grants up to \$10,000 to clubs that apply. Mr. Binga stated that once the County creates a plan, he can help implement it in a legal and orderly fashion with the resources he has. Ms. Root asked if NYSORVA has meetings. Mr. Binga stated they do have meetings; however, some members are in other portions of the state so they hold phone conferences.

Good of the Order

Legislator Harris thanked everyone who attended the meeting to present and listen and hopes that at some point they'll have time for public input and concerns.

Legislator Decker asked if the DEC is aware of the activity happening on the Genesee River. Ms. Hanchett stated that there are 11 access parks that are always full and busy on the weekends. Ms. Hanchett indicated they are talking with Erie Boat Canal regarding an opportunity to have an Ex-Pod here in the County. Senior Forester John Cleveland noted that there are campgrounds along the Genesee River that organize floats and draw a big crowd.

Adjournment

A motion was made by Legislator Harris, seconded by Legislator Decker, and carried at 4:02 p.m. to adjourn the meeting.