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GREAT LAKES REGIONAL TRAIL SYSTEM WORKSHOP

Summary Proceedings

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REGIONAL TRAIL SYSTEM WORKSHOP

Sponsored Jointly by
The Lake Central Region of
The Bureau of Outdoor Recreation
and
The Great Lakes Basin Commission

October 27-28, 1976
Romulus, Michigan

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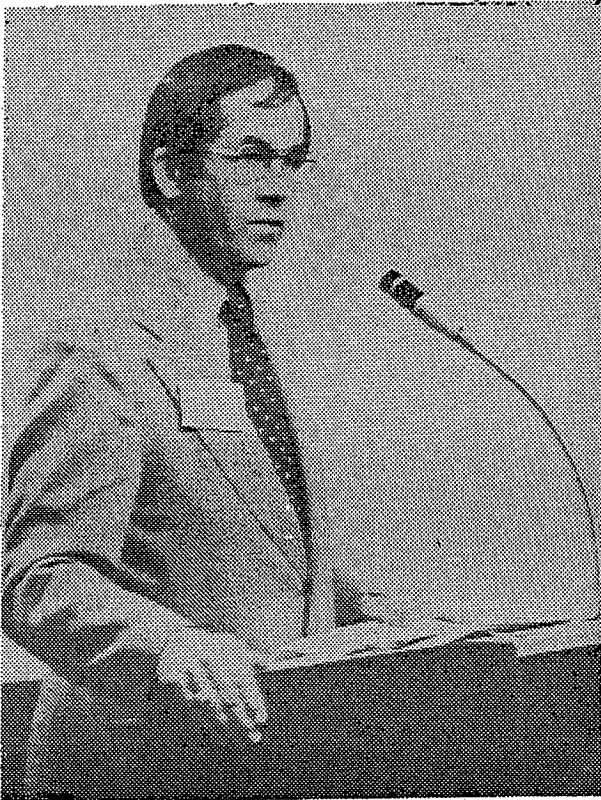
October 27-28, 1976
Romulus, Michigan

The SUMMARY PROCEEDINGS of the GREAT LAKES REGIONAL TRAIL SYSTEM WORKSHOP represent only a summary of statements and discussions of the participants. The PROCEEDINGS do not represent the findings or conclusions of the Great Lakes Basin Commission or the Bureau of Outdoor Recreation. Individual workshop participants did not necessarily endorse all of the points discussed by their groups and reported in this booklet.

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PREFACE



*Frederick O. Rouse, Great Lakes Basin
Commission Chairman*



*John Cherry, Regional Director of the
Lake Central Region of BOR*

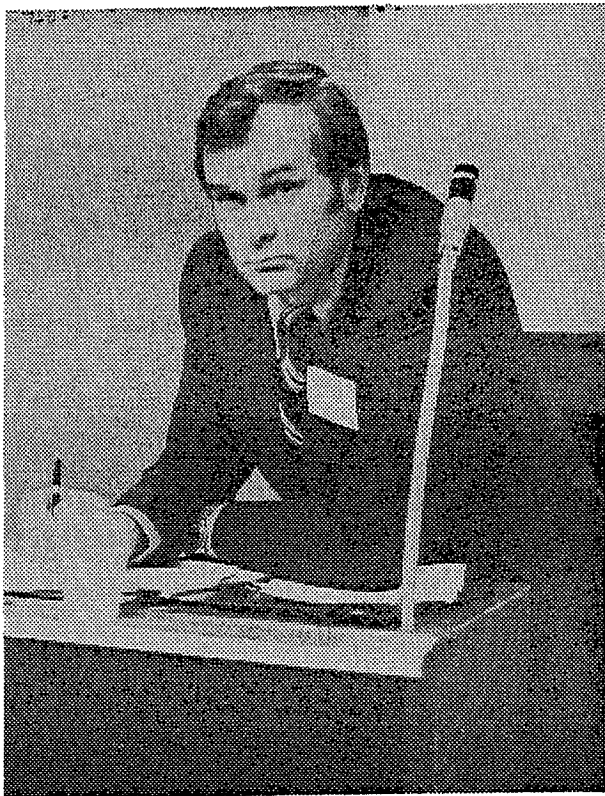
The idea of jointly sponsoring a regional trail system workshop was born in discussions between representatives of the Great Lakes Basin Commission (GLBC) and the Lake Central Region of the Bureau of Outdoor Recreation (BOR). The workshop was originally conceived to focus on converting some of the many abandoned Great Lakes area rail lines into trails. After closer consideration, however, the scope of the workshop was expanded to address the concept of a Great Lakes Regional Trail System. This opened up the whole spectrum of trail possibilities in the area and coincided more closely with the combined missions of the two sponsoring agencies.

The Lake Central Region of BOR is concerned with the coordination of numerous outdoor recreation programs in the Great Lakes states of Minnesota, Wisconsin, Indiana, Illinois, Michigan, and Ohio. The GLBC is a federal/state agency responsible for coordinating planning for water and related land resources in the Great Lakes area encompassing all or portions of the above six states as well as portions of Pennsylvania and New York.

Together ~~the~~ two agencies agreed that a workshop would be an effective way to initiate a regional trails system. The agencies coordinated their efforts in planning the workshop and in inviting prospective participants. The participants represented all interested levels of government and user groups, and other parties who had shown previous expertise and/or working interest in developing trails systems.

OPENING REMARKS

by Mr. Richard Rieke, Moderator



*Richard Reike, Bureau of Outdoor Recreation,
Moderates the Workshop*

I have looked over the list of attendees and I am convinced that we have the necessary ingredients for a successful workshop. You were invited because of your knowledge and your experience in trails programs in the eight States around the Great Lakes. We have got to get a lot done and I hope we will have enough time.

You've had a brief overview of the Great Lakes Basin Commission, given by Mr. Rouse, and for the benefit for those who are not familiar with the Bureau of Outdoor Recreation, we are an agency within the Department of the Interior. We administer no lands and own no lands. Perhaps we are best known for the administration

of the Land and Water Conservation Fund program.

We also oversee the development of the State Comprehensive Outdoor Recreation Plans as a requirement under the Land and Water Conservation Fund program. We are also responsible for administering the Wild and Scenic Rivers Act. We are presently involved with preparing an update of the nationwide outdoor recreation plan. Also, we are responsible for disposing of the Federal surplus real property, and we have a very active technical assistance program.

I could go on and on explaining what we do and who we do it with. There's one important program that I have not mentioned. We are responsible for administering the National Trails System Act.

In 1968 Congress saw fit to pass this Act to help develop a national system of trails, a system of basically three types.

The national scenic trails are those extended trails located to maximize the natural values of the areas through which they pass. At present, there are two national scenic trails in this country, one of which is in this eight-State regional area. That is the Appalachian Trail. The other one is the Pacific Crest Trail. These are long-distance primarily foot trails.

Congress did not envision that many national scenic trails would be created. They can be created only by an Act of Congress. There are presently two proposed national scenic trails in this region. One is the Potomac Heritage Trail and the other is the North Country Trail. The North Country Trail is one of the principal projects or studies that have been undertaken in the Great Lakes regional area during the past couple years. This 3,200-mile trail extends from essentially the Vermont-New York border west into North Dakota.

The second type of trails under the system is the national recreation trail. This is probably the mainstay of the trail system. It is designed and located to provide a variety of recreation opportunities accessible to those living in urban areas. There are presently 19 such trails (NRTS) in the eight Great Lakes States. There are approximately 99 such trails nationwide.

The third type of trail in the system is the connecting or side trail that provides really important access routes to the other two types. Also part of our trails program is the conversion of abandoned rail rights-of-way. We work closely with the Interstate Commerce Commission's (ICC) environmental staff to review the environmental proceedings, and we summarize the ICC abandonment notices and distribute them to the interested parties in order to provide early warning that these railroad sections are about to be abandoned.

We feel that abandoned railroad rights-of-way are very important potential for the planning and development of future recreation trails. These opportunities will not be with us and available forever, so we should be certain to take maximum effort at this point to be certain that they are preserved for trail

purposes. We feel that the abandoned railroad rights-of-way matter should be a principal part of this workshop.

In the past decade more emphasis has been placed on trail development because of the increasing popularity of trail-oriented recreation. Such motorized sports as snowmobiling and trail biking have grown enormously in popularity. Bicycling has experienced a real boom. In fact more bicycles have been sold in the past 10 years than automobiles. Hiking, backpacking, and ski-touring have greatly increased in popularity. All this has put a great pressure to bear on existing facilities. Obviously the demand has outstripped the supply.

In carrying out our responsibilities in the National Trails System Act, it became very apparent that we could not address ourselves to one particular type of trail or trail use and come up with a viable trail system. All types of trails and trail uses need to be discussed. We have had several inquiries and a lot of expressions of concern that a particular type of trail or trail use is not being adequately considered. The lack of facilities, overuse, conflicting use, etc., are always a topic of discussion when trail people get together.

As it stands now, the National Trails System is ill-defined and really openended. The BOR has made a substantial commitment of manpower and funds, but no true on-the-ground system of trails has developed. A goal in this workshop is to initiate an action program that will stimulate an orderly and systematic system for the planning and development of a regionwide and perhaps hopefully a nationwide system of trails. The long-range result would be a balanced and coordinated system of interconnecting trails, both long-range, medium-range, and short trails, both motorized and nonmotorized, for urban and rural areas. And that just about encompasses everything you can imagine, so we do have a real task in front of us.

Many people have said that the solution to better trails is better coordination. I agree, and if we can agree on the primary problems to trail development, planning, and acquisition, then on the solutions to these problems; assign a priority to those problems and solutions; and develop a meaningful implementation strategy; then coordination between those concerned--that action between people and agencies--can happen with a greater degree of reliability

that something of an end product is going to result. That end product is, of course, a trail system.

The next day and a half will be spent determining those things I have just mentioned: determination of problems, recommendations of solutions, determining priorities of all the problems and solutions, and then developing strategies for implementation.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

The objectives of the workshop were to stimulate thinking about a regional trail system, to encourage coordination between governmental organizations and interest groups, and to develop recommendations and implementation strategies directed toward the planning and development of a Great Lakes Regional Trail System.

As members of seven work groups, the workshop participants examined various aspects concerning the establishment of a regional trail system. Four principal topics were discussed during each of the four separate discussion sessions. These topics were:

- (1) Problems associated with establishing a regional trails system.



Work Groups in Session

- (2) Recommendations for problem solutions that can be used in establishing a regional trails system.
- (3) Priorities for addressing the recommendations.
- (4) Strategies for implementing the recommendations.

Although numerous needs and problems were identified during the first session, a majority of the work groups agreed that the need for coordination at all levels of government and the private sector was the greatest problem facing those concerned with the establishment of a regional trails system. During the next two work sessions, it became evident that this problem was the focus of concern for a majority of the participants. As a result, the final session of the workshop was dedicated to this problem and the recommendations for solving it. The workshop majority agreed that a regional trails council



*Bill Nemec, National Trails Council,
Reads Proposed Resolution*

should be established to serve as a coordinating organization. It would be responsible for representing the concerns of federal, state, local, and private agencies, as well as the principal user groups. The trails council would enable these entities to coordinate planning and development efforts devoted to the establishment of a regional trail system. Two of the principal specific jobs of the council would be the appointment of state trails coordinators and state trails councils. A resolution was passed by the workshop recommending

that a task force be created for the purpose of establishing a regional trails council. It was suggested that the task force be made up of representatives of BOR, GLBC, and the States and dissolve after its mission is accomplished. The Lake Central Region of BOR and the GLBC would be responsible for organizing the task force. Mr. Nemec, Chairman of the National Trails Council, who was present as a work group leader, accepted the task of composing the resolution and submitting it to the respective heads of BOR and the GLBC for approval. (See Appendices 1, 2, and 3 for the text of the resolution and copies of the

accompanying letters sent to each agency.) The submitted resolution makes no reference to the establishment of a task force for the purpose of developing a Great Lakes Regional Trail Council, as called for by the workshop participants, but instead calls for the BOR to provide staff services to a regional trails council. BOR expressed a willingness to provide assistance in developing a Great Lakes Regional Trails Council by organizing and serving on a task force to create such a council. Once the council was formed, the BOR would continue to provide trail coordination under its existing program.

RESULTS OF WORK GROUP SESSION ONE

Topic:

"Problems Associated With Establishing A Regional Trails System"



Work Group Determines Major Regional Trails System Problems

Each group was asked to identify and rank the five most significant problems associated with the establishment of a regional trails system on a scale of one to five. This weighting system was used to arrive at a consensus opinion regarding essential problems that could be addressed during this brief workshop.

The ranking was accomplished with some difficulty because some of the participants felt that the gravity of some problems depended on geographical circumstances and varying institutional jurisdictions. In spite of this,

everyone participated vigorously in this very necessary phase of the workshop, and the following consensus ranking was derived:

<u>Ranking</u>	<u>Total Numerical Value</u>
1. The need for coordination among all levels of government and the private sector (all of the work groups identified this as one of the top five problems).....	26
2. The need for funding	13
3. The need for public and legislative mandates	12
4. The need for a complete resource inventory	10
5. The need for an overall planning framework and identification of responsibilities	8

It is apparent that the use of the work "problem" was not altogether appropriate. A majority of the participants were concerned with "needs" and worded their "problem" statements accordingly.

The remainder of the workshop, including the other discussion sessions, was devoted to recommending solutions, setting priorities, and developing implementation strategies. Subsequently, individual work groups identified other problems, most of which were interconnected and, in some cases, directly related to the five primary problems. Despite their significance, they could not be addressed during the limited time of the workshop. Following is a brief summary of additional problems identified by the individual work groups:

<u>Ranking</u>	<u>Total Numerical Value</u>
6. The need for design standards.....	6
7. The need for public input	6
8. The need to resolve user conflicts	5
9. Legal political process	5
10. Identification of user needs	5
11. The need to protect local interests	5
12. Right-of-way acquisition	3

<u>Ranking</u>	<u>Total Numerical Value</u>
13. The need to protect environmental quality.....	2
14. The need to inform the public	1
15. Implementation	1

RESULTS OF WORK GROUP SESSION TWO

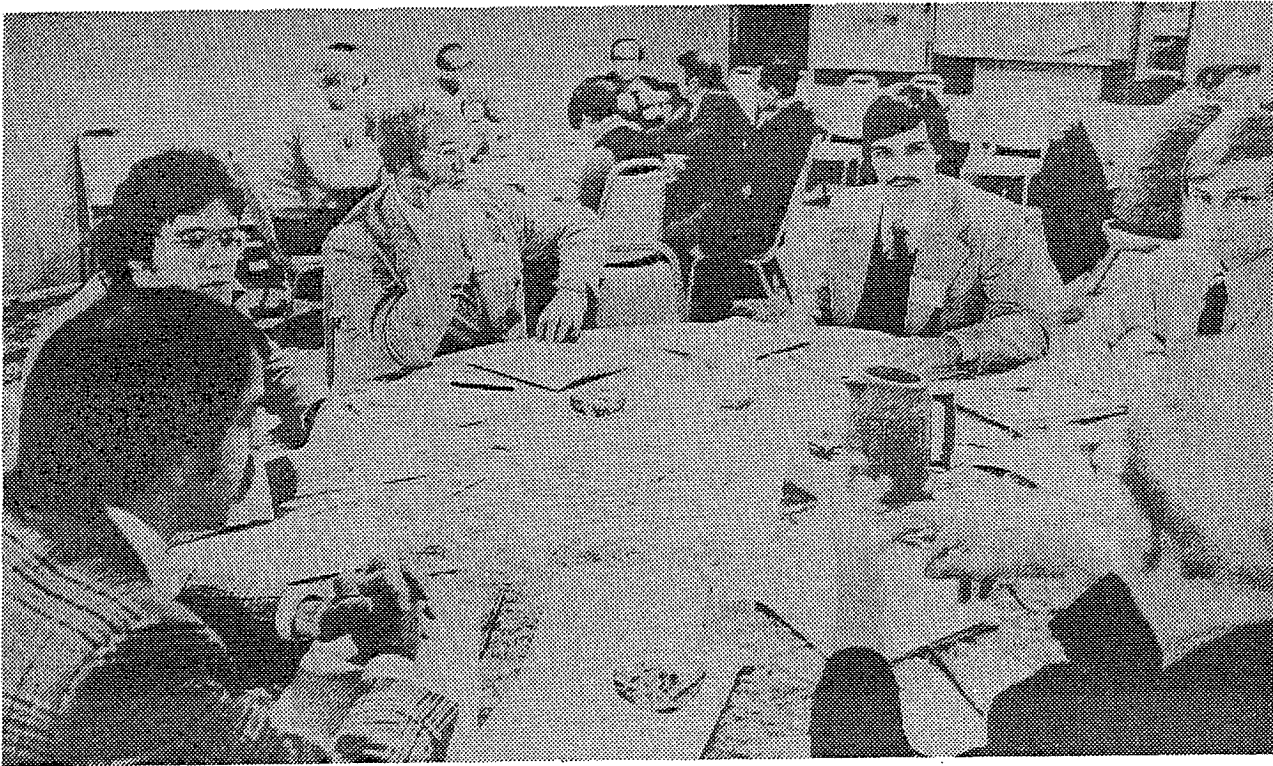
Topic:

"Recommendations For Problem Solutions That Can
Be Used In Establishing A Regional Trails System"

This session was devoted to formulating recommendations to solve the five major problems identified by group consensus in session one. The work groups made the following recommendations:

Problem No. 1: "The need for coordination among all levels of government and the private sector."

- (1) Establish state trail councils in each state with a mandate for



Work Group Discusses Problem-Solving Recommendations

authority. These would be associated with the state Department of Natural Resources and would be composed of state representatives, user groups, and regional governmental bodies.

- (2) Establish a state trails coordinator in each state.
- (3) Establish a region-wide trails council consisting of representatives from each state, BOR, and the private sector. This council would be chaired by BOR.
- (4) Conduct a BOR inventory of all existing and proposed trails.
- (5) Publish a newsletter to help dissemination of information among various groups and agencies.
- (6) The proposed regional trails council should act as a clearinghouse for information.

Problem No. 2: "The need for funding."

- (1) Fund trails through user fees to be collected from all types of users.
- (2) Fund trails through special taxes.
- (3) Utilize volunteer labor as a value for matching Land and Water Conservation Fund (L&WCF) monies.
- (4) Change the matching ratio of the L&WCF from the present 50/50 federal-state matching basis to a different basis, possibly 75/25.
- (5) Seek donations from the private sector for trail development, acquisition, and maintenance.
- (6) Develop an information program on existing and potential sources of funding. The findings should be made available through an information pool.
- (7) Seek separate sources of funding specifically for each stage of trail development: planning, construction, and maintenance.
- (8) Develop a demand analysis to use a background support when approaching political bodies for funding.
- (9) Attempt to get Congress to allocate more money for trail purposes.
- (10) Contact foundations for possible funding assistance.
- (11) Organize interest groups to pressure government for funding.

Problem No. 3: "The need for public and legislative mandates."

- (1) Enact federal and state legislative mandates, recognizing and funding regional and state trail councils.
- (2) Establish a public advisory body to provide input to state legislatures regarding trail issues.
- (3) Require each state to establish a state trail plan regarding development and acquisition authorities, means of funding, and implementation time frames.
- (4) Encourage each state to enact liability legislation protecting private landowners who make their lands available for recreational purposes.
- (5) Compile guidelines and provide them to legislatures to aid them in enacting legislation authorizing the development of a statewide trail system.
- (6) Enact legislation at federal and state levels, giving the states first opportunity to purchase abandoned railroads.

Problem No. 4: "The need for a complete resource inventory."

- (1) Charge the regional trails council (once formed) to develop standards of uniformity for compiling trail inventory information.
- (2) Charge BOR to provide the guidelines for the trails inventory.
- (3) Include existing trails as well as existing and potential trail corridors in the inventory.
- (4) Develop input for the inventory from interest groups through questionnaires and a review of existing material (such as the Great Lakes Basin Framework Study).
- (5) Develop a user group inventory in conjunction with a trails inventory, including interest groups and action-oriented citizens ready to help in the effort. This should be the responsibility of the state.
- (6) Charge the state trails councils with maintaining the inventory.
- (7) Disseminate inventory information to the public.

Problem No. 5: "The need for an overall planning framework and identification of responsibilities"

- (1) Charge the regional trails council to prepare a regional framework plan.
- (2) Integrate delineation of trail responsibilities into updated statewide comprehensive outdoor recreation plans.
- (3) Hold additional conferences and workshops within and among states to construct a planning framework.

RESULTS OF WORK GROUP SESSION THREE

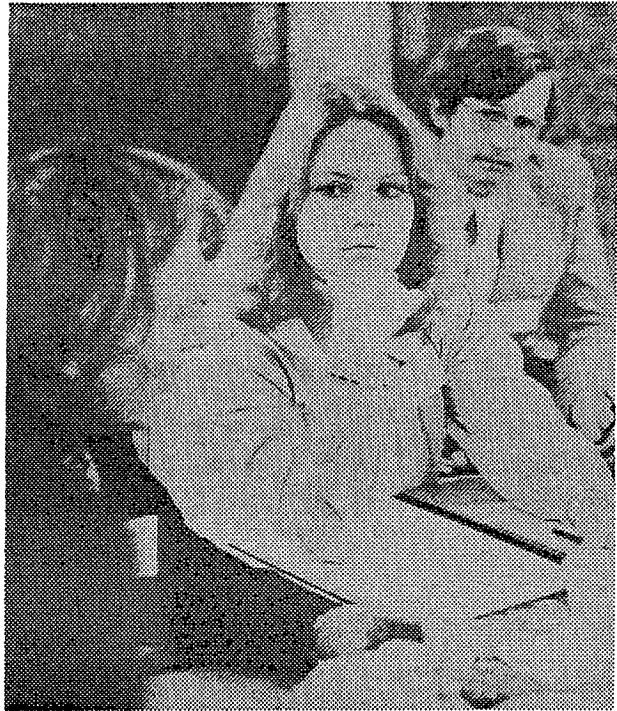
Topic:

"Priorities for Addressing Recommendations"

The purpose of this session was to determine which of the various recommendations arrived at during session two should receive priority attention to resolve the needs identified in session one. The following priorities were assigned:

Problem No. 1: "The need for coordination between all levels of government and the private sector."

- (1) Establish a regional trails council consisting of representatives from each state, BOR, and the private sector.
- (2) Establish a state-wide trail council in each state. Representatives of each council would be part of the regional council.
- (3) Designate a state trails coordinator in each state who would serve on the region-wide council.



Work Group Discusses Priorities

While there was some question regarding which recommendation (1,2, or 3) should be accomplished first, general group consensus indicated that the regional council would be established first. The goal of the council should be to encourage and assist in the fulfillment of recommendations 2 and 3.

Problem No. 2: "The need for funding."

- (1) Develop an information program regarding existing and potential funding sources. Subjects covered under this program should include user fees, special taxes, donations, funding strategies, and utilization of volunteer labor.

Problem No. 3: "The need for public and legislative mandates."

- (1) Charge regional and/or state trails councils to provide guidelines to state legislatures to help them enact enabling legislation authorizing and funding the development of a state-wide trail system (specific trails should be designated as instant components).
- (2) Include provisions for liability protection and identification of responsibility as part of the legislation.

Problem No. 4: "The need for a complete resource inventory."

- (1) Conduct an inventory that would include existing and potential trails and user groups.
- (2) Include in the inventory standardization of terms and design criteria. The inventory information should be made available to the public.
- (3) Designate the inventory as part of the regional trails council's task.

Problem No. 5: "The need for an overall planning framework and identification of responsibilities."

- (1) Charge the regional trails council with the responsibility for preparing an overall framework for trail planning and development. (Also additional conferences and workshops should be held within and between states.)

ADDITIONAL RECOMMENDATIONS

Several of the work groups recommended that a task force be created for the sole purpose of establishing a regional trails council. The task force

would be made up of representatives from BOR, GLBC, and the states. Wherever possible, the states should be represented by a state trails coordinator. The task force would dissolve after the regional trails council is established. (This recommendation was adopted during session 4.)

Individual work groups came up with the following additional recommendations:

Problem No. 1: "The need for coordination between all levels of government and the private sector."

- (1) Request BOR to either chair or act as permanent secretary to the regional trails council.
- (2) Establish as one of the goals of the regional trails council the sharing of trails information and the development of a trail planning framework.

Problem No. 2: "The need for funding."

- (1) Pay for trails through an equitable system of taxes and/or user fees levied on trail users.
- (2) Change the Land and Water Fund formula from 50/50 to 75/25.
- (3) Develop long-term funding strategies for acquisition, development, and operation of state-wide trails.
- (4) Establish special funding to encourage regional trail development.

Problem No. 3: "The need for public and legislative mandates."

- (1) Integrate delineation of trail responsibilities into updated Statewide Comprehensive Outdoor Recreation Plans (SCORP), with the base of the planning framework to be at the state level.

RESULTS OF WORK GROUP SESSION FOUR

Topic:

"Strategies for Implementing the Recommendations"

This was originally scheduled as a conventional work group session similar to those that preceded it. It became apparent, however, that the topic would be restricted to recommendations for organizing a regional trails council and supporting organizations capable of coordinating the establishment of a regional trails system. It was decided to have a short discussion period during which the work groups would discuss recommendations for establishing a regional trails council and associated state trails councils.

After the work group discussion period, there was a general workshop discussion of findings and recommendations. Most of the work groups recommended that a task force be formed and given the responsibility of organizing a regional trails council. This council should be supported by state trails councils. There was some initial difference of opinion regarding the composition of these trails councils and the order of establishment. In general, however, it was agreed that the task force should be established first and should be organized jointly by BOR and GLBC and should include representatives from each of the state departments of natural resources (or conservation departments). No real consensus of workshop participants was reached concerning the complete composition of the regional trails council. This, instead, would be left to the discretion of the task force. Most agreed that the trails coordinators for each state should be members of the regional trails council and that BOR be included but not be given the top leadership role. Participants were also strongly united concerning the need for state trails coordinators and felt that each state should have one. The state trails coordinators would organize and direct the state trails councils.

Most workshop participants felt that state trails councils should include membership from state, local governmental, and private agencies or organizations, as well as strong representation from user group organizations.

The role of the state and regional trails councils, as envisioned by the workshop, would cover a broad range of duties. The state trails councils would represent and provide services to trail interests in the states, while the regional trails council would play a coordinating role. One of the jobs of the task force would be to define the specific responsibilities of the regional trails council. All agreed that the organization of the task force and subsequently a Great Lakes Regional Trails Council proceed as rapidly as possible.

A motion was introduced proposing that a resolution be prepared to mandate the workshop recommendations. The general text of the proposed resolution was read by Mr. Bill Nemec, Chairman of the National Trails Council and leader of work group 5. The motion was approved by the workshop majority. Mr. Nemec agreed to prepare a resolution incorporating the above recommendations and to submit it to both the Director of BOR and the Chairman of GLBC (see Appendices 1, 2, and 3).

1

Appendix 1

GREAT LAKES REGIONAL TRAIL SYSTEM WORKSHOP RESOLUTION

NATIONAL TRAILS COUNCIL

P. O. BOX 1042 / ST. CHARLES, ILLINOIS 60174

RESOLVED: We, the attendees of the Great Lakes Regional Trail System Workshop, feel that the initiative of the Lake Central regional office of the Bureau of Outdoor Recreation and the Great Lakes Basin Commission bringing together interested trail groups and administrators, provides a genuine opportunity for significant progress in meeting the mandate of the 1968 National Trails Act.

We further resolve that adequate staff support from the Bureau of Outdoor Recreation is essential to realize this opportunity, and we request the Bureau of Outdoor Recreation to commit, at minimum, one full time staff position and to provide appropriate services to a Regional Trails Council.

Appendix 2

LETTER TO THE BUREAU OF OUTDOOR RECREATION ACCOMPANYING RESOLUTION

NATIONAL TRAILS COUNCIL

P. O. BOX 1042 / ST. CHARLES, ILLINOIS 60174

November 15, 1976

Mr. John Crutcher, Director
Bureau of Outdoor Recreation
U.S. Dept. of the Interior
18th and C Streets, N.W.
Washington, D.C. 20240

Dear Mr. Crutcher:

Since its formation in 1972 the National Trails Council has been attempting to organize fragmented local and state trails councils into a strong national unit.

We have realized that it would take a considerable amount of time to do this with the resources we have at hand and have felt that the regional concept would be a faster way to solve the problem.

At a recent meeting in Detroit such a regional Council was discussed and approved and a task force is being organized to form the Council and give it the responsibility of fostering state councils where they do not now exist and to coordinate trail activities in the eight state area. The resolution passed at that meeting, and a list of those in attendance, are enclosed.

It was felt that this worthwhile project could serve as a pilot for other areas of the country to achieve some momentum in the National Trails system.

The National Trails Council heartily endorses this action, and will give as much support as possible to see that it becomes a reality.

Your positive action will encourage the many volunteers who have given freely of their time and efforts, to secure the improve trails, the incentive to continue the work needed to reach the goal we have sought since the Trails Act of 1968.

Sincerely,



W. S. Nemec, Chairman
National Trails Council

cc: John D. Cherry, Lake Central Region, BOR
Frederick O. Rouse, Great Lakes Basin Commission

Appendix 3

LETTER TO THE GREAT LAKES BASIN COMMISSION ACCOMPANYING RESOLUTION

NATIONAL TRAILS COUNCIL

P. O. BOX 1042 / ST. CHARLES, ILLINOIS 60174

November 15, 1976

Dear Mr. Rouse,

It was a privilege for me to attend the recent meeting in Romulus. I feel that a great deal was accomplished and the Commission is to be complimented on their part in setting up the meeting.

I was fortunate enough to be at the table that devised the plan that was most totally incorporated in our final charge to set up a task force, which in turn would set up a Regional Council.

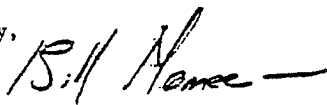
It was our opinion that the task force should be held to a small number so it would be able to work faster. For that reason we suggested a delegate from each state plus a representative from BOR and the Commission. We felt that between you and BOR there would be the ability to set meetings and to keep the task force proceeding toward its goal without too many side trips.

Although the Regional Council membership is to be set by the task force, I am of the opinion that the Commission should have a seat on it as well. If it is to be a true representation of all interested people, it would not be complete without your being represented.

I hope that we can proceed in a hurry with this program so as to have something positive to show for our efforts at the next National Symposium in September.

I appreciate your interest and support.

Sincerely,



W. S. Nemec, Chairman
National Trails Council

Appendix 4

KEYNOTE SPEECH

by Mr. William J. Watt



William J. Watt is presently serving as an executive assistant to Indiana Governor Otis R. Bowen in the capacity of Governor's news secretary and liaison with State agencies dealing with natural resources, energy, and transportation. He is a member of the Governor's energy committee and chairman of the Governor's rail task force. He is also a member of the Governor's Environmental Education Council, the State Solid Waste Management Study Commission, and the National Governors Council on Science and Technology as well as the Indiana Commissioner of the Great Lakes Basin Commission.

In recent years, much enthusiasm has been voiced for the concept of expanding public access to trail systems for hikers, cyclists, snowmobiles, and other off-road vehicles. It is a notion which enjoys a good deal of popular appeal for several reasons. Americans, by the thousands, are acquiring a taste for this type of outdoor recreation. It is the type of thing on which government agencies and environmentalists easily can find common ground for cooperation, rather than confrontation. It is an easy thing to be for, because it involves what people perceive to be "nice" things, by contrast, say, to building new prisons. It comes at a time when many people believe that we have an opportunity to get abandoned or soon-to-be abandoned rail properties dedicated to our recreational system.

However, despite all of the enthusiasm, I don't think that the vast majority of trail development

enthusiasts have much understanding of the problems involved in acquiring and managing rail lines as recreational corridors.

We in Indiana have undertaken a rather ambitious program of trail development, aiming for a statewide system of recreational trails. We have secured easements from utility companies to use their rights-of-way for recreational purposes. We have developed well-marked trails along little-used State and local highways in some of our more scenic areas. We are developing new trails within the public lands, the most recent being a proposal for a seventy-four mile trail linking two State forests in some of the most picturesque country in the Hoosier State. We take a great deal of pride in these programs.

However, we have found ourselves totally frustrated in attempts to secure abandoned railroad rights-of-way. It is not because a large number of talented, dedicated people are not trying. We are.

I am going to catalog some of these problems for you, in order that you may go into this concept with your eyes open and your mind prepared for the pitfalls.

It was obvious to the State of Indiana that we would see a number of abandonments as a result of the Eastern Rail Reorganization. In fact, State government recommended abandonment of 500 miles of bankrupt lines in Indiana because they weren't being used, they were bleeding the vitality of the rail system and their loss involved no hardship to anyone except rail buffs.

Our Department of Natural Resources identified nearly four hundred miles of rail lines it considered to be good candidates for inclusion in a State recreational trails system. For more than a year, we have been involved in efforts to acquire some of them. Thus far, we have not been successful. Here's why.

Railroads, particularly bankrupt railroads, represent special problems, when one is talking in terms of land transactions. It has proved difficult, if not impossible, to determine the extent of ownership. When the land was acquired for rights-of-way . . . in some cases more than a century ago . . . the form of acquisition varied. In some instances, an outright warranty deed was obtained. However, in many cases, these deeds never were recorded. In

others, simple easements or leases were obtained. As land has changed hands, they have become difficult to keep track of. In still others, we suspect that a railroad land buyer simply gave a farmer a few dollars cash to traverse his back forty, with no record ever made. In some transactions, there were reversion clauses, which stated that if the right-of-way ever ceased to be used as an operating railroad, it would revert to the landowner.

What messes all this up even further is the fact that different methods of acquisition often were used in obtaining rights for the same branch line, giving us no clear-cut path to follow in untangling the situation. Now, it doesn't stop here.

The people who built these railroads aren't the people who have been running them in recent years. In fact, Penn-Central, a bankrupt corporation, leased many of its Indiana lines from equally-bankrupt railroads, bringing secondary and tertiary debtors into the picture. The ownership of certain lines has changed several times. The quality of paperwork didn't always hold up.

It is little wonder, then, that all the Penn-Central trustees will offer the State is a quitclaim deed for the proposed transactions. I'm no lawyer, but it is my understanding that a quitclaim deed amounts to the seller telling the buyer that the seller is willing to deed over any rights he may have. The seller may not know what rights he is conveying . . . indeed, that is the case with Penn-Central. The seller may not know what other interests may step forward to demand a piece of the action. It could be landowners. It could be heirs of previous landowners. It could be creditors of Penn-Central. It even could be local government taxing units who suffered for years because Penn-Central, a bankrupt giant and major property owner, wasn't paying its taxes.

Now, even if Penn-Central is willing to give you this quitclaim deed and if you are willing to shoot craps with these potential interests, the creditors may go to the reorganization court and seek to stop the transaction. The reason is this: Penn-Central's creditors don't believe that they have been given enough money in the rail reorganization. I've heard some of them argue that they are entitled to amounts ranging perhaps ten times more than

the government fixed as the valuation of the estate. It is my personal view that the government's asset valuation is a reasonable one. No one can say if the courts will agree. But litigation will be filed in the court of claims and the resolution of this dispute is several years away. In the meantime, the creditors may perceive that it is not in their interest to permit transactions of this type to occur, because it could have the effect of providing precedents for the value of the property.

I would suggest to you that few State attorneys general would be willing to accept a quitclaim deed, because they recognize how flimsy it is. It may be . . . in special cases, that an attorney general would, if the number of parcels was small and if it appeared that potential controversies would be minimal.

There are a couple of other options. One is known as quiet title. Through a quiet title action, the governmental unit, working through a circuit court, will seek a judicial determination as to who has a potentially legitimate claim in the transaction. It has the effect of tidying things up. It has the effect of forestalling frivolous challenges. But all it does is determine the number of players at the table. It does not tell you in advance whether or not you are getting into a penny-ante or no-limit poker game. If you are able to come to terms with those interests having legitimate claims, the final result probably would be of a type that your legal counsel can accept.

Of course, there is the option of condemnation of proceedings . . . expensive, controversial, and time consuming. As a general rule, I think a State government would have a difficult time justifying condemnation proceedings for this purpose.

You may find that the situation is less complicated with abandoned lines of solvent railroads. Dealing with the solvents certainly is more streamlined, without creditor issues or reorganization court approvals.

There are a few other problems with the bankrupt railroads, particularly Penn-Central. The lines under consideration, for the most part, are not those on which the railroad holds extensive real estate holdings. They do not represent high-value property when compared with other Penn-Central land,

particularly that in urban areas. Therefore, the disposition of many of these lines is not a priority for the staff of the Penn-Central trustees. Furthermore, that staff, because it is that of a railroad in bankruptcy, is woefully inadequate in its size or in its capability to deal with the potential volume of business.

There's something in the makeup of railroaders, or in the style of the companies they work for, that makes them disinclined to be compromisers, or to seek fast solutions. There is a tendency to insist upon having their way. They seem willing to wait . . . for years if necessary . . . if a waiting game will help them get their way. As a rule, litigation involving railroads is lengthy, and, if settled out of court, is not resolved until the last moment.

This is a frustrating situation in which to operate, particularly since time is of more importance to us than to the trustees. The sad fact is that if we seek quick resolution of some of the issues which could arise in the negotiations to transfer property, we may find ourselves doing it on their terms.

A few moments ago, I mentioned the potential opposition of local and State governments to these transactions because they have been suffering as a result of non-payment of taxes by bankrupt railroads. You likely will hear arguments from legislators, local officials, or citizens that we should not pay the trustees for these rights-of-way because the railroad owes money to local government.

That's tough logic to counter. Residents of a local area whose schools have suffered because Penn-Central didn't pay its property taxes will not look favorably on a transaction which may involve many thousands of dollars in payment to the railroad.

Ultimately, there will be a resolution of many of the back tax problems. Penn-Central, for example, plans to reorganize as a corporation, having gotten itself out of the transportation business. It may be possible, since the railroad is still one of the nation's major landowners. It's valuable real estate may provide a basis for reorganization as a going-concern real estate outfit. The first phase of this will be to work out a reorganization

plan that is acceptable to the different categories of creditors and securities holders. Once that is done, the trustees probably will offer a quick settlement proposal to government creditors. I hear that governmental units probably will be offered something on the order of fifty cents on the dollar in order to get a fast settlement of their claims.

However, there is no guarantee that the trustees will be able to fashion a compromise in a short period of time. That proposal, whenever it surfaces, will be subject to potential litigation that could go on for years.

Until that happens, there isn't an incentive for the trustees to accept tax forgiveness as a basis for transferring abandoned rail lines. Until a settlement plan is determined, we are faced with the prospect of paying the trustees the appraised value of the property we want to buy. How salable a proposition that will be will vary from case to case and from State to State.

Assuming that we can overcome these legal and financial obstacles, there are some considerations which relate to the physical property.

Property considered for acquisition should be subjected to exhaustive inspection before any commitments are made.

Bridge structures represent a significant issue. If the line was built on a well-defined grade separation, there will be many bridges and trestles. This is especially true if the line ever was used as a main line, because the builders wanted to minimize the number of grade crossings. For the most part, these bridge structures were built like the Maginot Line -- big, stout, and capable of lasting for years. But many, if not most, were erected 80 to 100 years ago. In Indiana, we have noticed signs of impending structural problems on several of these structures. In fact, we believe that the U.S. Railway Association decided against including in Conrail a few lines that once had been main lines in the eastern system because they didn't want Conrail to have to take on a major bridge replacement program. If demolition of unsafe bridges and their replacement were to occur even in a few cases on a rail line segment, you likely would find the cost exceeding that which you paid to acquire the line in the first place.

The situation is potentially not as serious on lines that always were branch lines because there are fewer structures and they tend to be on a smaller scale, unless, however, the line traverses major rivers.

You also need to analyze the impact of grade separations upon drainage. We get constant complaints about draining problems on Penn-Central branch lines because maintenance wasn't performed. Collapsed culverts, or obstructed culverts and trestles can cause real problems for adjacent landowners. If you buy the right-of-way, you buy the problem.

Is the line subject to washouts and, if so, how frequently? Have farmers cut through the grade separation on out-of-service lines to get easier access to their fields? Has the county highway department done the same thing during a road resurfacing project? What will you do if something like this happens before you get the property under your management?

Your analysis needs to project maintenance costs over the long term, so that you know what you are getting into.

These remarks have been rather negative. Let me say that, despite what I have commented, I believe that there is a potential for converting these lines to recreational purposes. I have been somewhat negative because most of what I hear and read about the rails-to-trails concept is abstract rhapsodizing that has not been buttressed by careful thought. We have people who seem to want to be environmental heroes telling us that we should be snatching up these lines immediately -- legal and financial issues notwithstanding. That's just not responsible.

The fact is, if rails-to-trails is going to succeed, it will be the lawyers, the finance men, the construction engineers, and the real estate pros who make the most significant contributions.

If the Attorney General won't approve the deed, you've got nothing. If 130 out of 140 landowners come to terms, you may have nothing. If 19 out of 20 bridges are sound, you may have nothing. If the adjacent landowners have a different agenda for that property than you do, life will be pure hell.

Now that I've said all this, let's go out and get the job done.

Appendix 5

WORKSHOP PARTICIPANTS

APPELQUIST, Deborah, Great Lakes Basin Commission, Ann Arbor, Michigan
ARSENEAULT, Norman, U.S. Forest Service, Milwaukee, Wisconsin
CARSON, Ray, Parks and Recreation Department, Duluth, Minnesota
CARTER, Lee, West Michigan Regional Planning Commission, Grand Rapids, Michigan
CHADWICK, Richard, Huron-Clinton Metro Parks, Detroit, Michigan
CHEREM, Gabriel (Dr.), Ohio State University, Columbus, Ohio
CHERRY, John, Lake Central Region, Bureau of Outdoor Recreation, Ann Arbor, Michigan
CLARK, Barbara, Michigan Student Environmental Confederation and Community Bicycle Co-Op, Lansing, Michigan
CRANDALL, Derrick, Trail Systems and Snowmobile Safety and Certification Committee, Inc., Washington, D.C.
CROOK, Leonard T., Great Lakes Basin Commission, Ann Arbor, Michigan
DUWE, Michael, Eastern U.P. Regional Planning and Development Commission, Sault Ste. Marie, Michigan
ELDRED, Terry, State Highway Commission, Michigan Dept. of Highways and Transportation, Lansing, Michigan
GALLAGHER, Myron (Gary), Upper Peninsula Non-Motorized Trail Council, Marquette, Michigan
GREENE, Bill, Lake Central Region, Bureau of Outdoor Recreation, Ann Arbor, Michigan
GREENSLIT, John, Michigan Recreation and Parks Association, Lansing, Michigan
GREGG, Kate, Minnesota State Planning Agency, St. Paul, Minnesota
GROW, Roger, South Central Michigan Planning Council, Nazareth, Michigan
HAY, Ed, N.E. Region, Bureau of Outdoor Recreation, Philadelphia, Pennsylvania
HOLCOMB, Jim, University of Michigan, Ann Arbor, Michigan
HUBBELL, Roger, Ohio Dept. of Natural Resources, Columbus, Ohio
JOB, Charles A., Great Lakes Basin Commission, Ann Arbor, Michigan
KIRKBRIDE, Robert, State Highway Commission, Michigan Dept. of Highways and Transportation, Lansing, Michigan
KNOPP, Timothy, University of Minnesota, College of Forestry, St. Paul, Minnesota
KUEHNER, Irvin V., International Backpackers Association, Williamston, Michigan
LEDIN, Don, Minnesota Dept. of Natural Resources, St. Paul, Minnesota
LEMANSKI, Larry, Great Lakes Camp and Trail Association, Lansing, Michigan
LITTRELL, Teri, Michigan United Conservation Clubs, Lansing, Michigan
MARKERT, Ervin, National Trails Council and Finger Lakes Trail Conference, Pittsford, New York

MARTIN, Bob, Lake Central Region, Bureau of Outdoor Recreation, Ann Arbor, Michigan

MARTINDALE, Jay, Indiana Dept. of Natural Resources, Indianapolis, Indiana

MARUSKA, Paul, Illinois Dept. of Conservation, Springfield, Illinois

MEYER, Louis J., Great Lakes Basin Commission, Ann Arbor, Michigan

MILLER, Donna, Lake Central Region, Bureau of Outdoor Recreation, Ann Arbor, Michigan

MILLER, Rodney, The Nature Conservancy, Lansing, Michigan

NEFF, Bonita Dorsal (Dr.), League of American Wheelmen, Palatine, Illinois

NEFF, Gregory, League of American Wheelmen, Palatine, Illinois

NEMEC, William S., National Trails Council, St. Charles, Illinois

NOLAN, Mike, American Horse Council, Washington, D.C.

PAYNE, Joe, Indiana Dept. of Natural Resources, Indianapolis, Indiana

PRESLEY, Stan, Ice Age Park and Trail Foundation, Milwaukee, Wisconsin

PRICE, Daniel, University of Michigan, Ann Arbor, Michigan

PROSSER, Ellen, Great Lakes Basin Commission, Ann Arbor, Michigan

RASOR, Robert, American Motorcycle Association, Westerville, Ohio

RAUP, Henry, Geography Department, Western Michigan University, Kalamazoo, Michigan

REED, Robert, Lake Central Region, Bureau of Outdoor Recreation, Ann Arbor, Michigan

REES, Jerry, Michigan Non-Motorized Advisory Board, Ann Arbor, Michigan

RENNEBOHM, William, Bureau of Outdoor Recreation, Washington, D.C.

RIEKE, Richard, Lake Central Region, Bureau of Outdoor Recreation, Ann Arbor, Michigan

ROBINSON, Walter, University of Michigan, Ann Arbor, Michigan

ROUSE, Frederick O., Great Lakes Basin Commission, Ann Arbor, Michigan

SCHAAF, Gene, Lake Central Region, Bureau of Outdoor Recreation, Ann Arbor, Michigan

SCHELHAS, John, University of Michigan, Ann Arbor, Michigan

SCHMID, Arlene, Girl Scouts of America, Ann Arbor, Michigan

SCOTT, Bob, N.E. Illinois Planning Commission, Chicago, Illinois

SINGER, Ron, Interstate Commerce Commission, Washington, D.C.

SKILLINGS, Betsy, University of Michigan, Ann Arbor, Michigan

STINGLE, Jim, Western U.P. Planning and Development Region, Houghton, Michigan

TOCHER, Ross (Dr.), University of Michigan, Ann Arbor, Michigan

TREICHEL, Jim, Wisconsin Dept. of Natural Resources, Madison, Wisconsin

TUCKER, Emma Scott, Pecatonica Prairie Pass, Inc., Jame Addamsland Park Foundation, Freeport, Illinois

TYLER, Robert M., Michigan Dept. of Natural Resources, Lansing, Michigan

VAMOS, Ivan, New York State Office of Parks and Recreation, Albany, New York

VITTON, Dennis, Michigan Dept. of Natural Resources, Lansing, Michigan

WARNER, David, Great Lakes Basin Commission and University of Michigan, Ann Arbor, Michigan

WARREN, Wayne, Ohio Dept. of Natural Resources, Columbus, Ohio

WASSON, Gary, N.E. Indiana Regional Coordinating Council, Fort Wayne, Indiana

WATSON, Marvon, Michigan Dept. of Natural Resources, Lansing, Michigan

WATT, William, State of Indiana, Indianapolis, Indiana

WICKS, F. Jim, Michigan Dept. of Natural Resources, Lansing, Michigan

WIGGINS, Donald, Southeastern Michigan Council of Governments, Detroit, Michigan

YOUNG, April, Open Lands Project, Chicago, Illinois

Appendix 6

INITIAL WORK GROUP ASSIGNMENTS

WORK GROUP 1

Leader: Ross Tocher (University of Michigan)
Recorder: Jim Holcomb (University of Michigan)

Jim Treichel (Wisconsin Department of Natural Resources)
Norman Arseneault (U.S. Forest Service, Region 9)
Henry Raup (Western Michigan University)
Gary Wasson (Northeastern Indiana Regional Coordinating Council)
Roger Grow (South Central Michigan Planning Council)
Jim Stingle (Western Upper Peninsula Planning and Development
Region)

WORK GROUP 2

Leader: Lee Carter (West Michigan Regional Planning Commission)
Recorder: Daniel Price (University of Michigan)

Jay Martindale (Indiana Department of Natural Resources)
Ivan Vamos (State Office of Parks and Recreation, New York)
Jerry Rees (Michigan Non-Motorized Advisory Board)
Gabriel Cherem (Ohio State University)
Kate Gregg (Minnesota State Planning Agency)
Ed Hay (Bureau of Outdoor Recreation, Northeast Region)

WORK GROUP 3

Leader: Irvin Kuehner (International Backpackers Association)
Recorder: David Warner (University of Michigan, GLBC)

Terry Eldred (Michigan Department of State Highways and
Transportation)
Stanley Presley (Ice Age Park Trail Foundation)
Mike Nolan (American Horse Council)
Ervin Markert (Finger Lakes Trail Conference and National Trail
Council)
Roger Hubbell (Ohio Department of Natural Resources)
Lawrence Lemanski (Great Lakes Camp & Trail Association)

WORK GROUP 4

Leader: Gary Gallagher (U.P. Non-Motorized Trail Council, Michigan)
Recorder: Betsy Skillings (University of Michigan)

Bob Kirkbride (Michigan Dept. of State Highways and Transportation)
Wayne Warren (Ohio Department of Natural Resources)
G. Rodney Miller (The Nature Conservancy)
Emma Tucker (Jane Addamsland Park Foundation)
Richard Chadwick (Huron-Clinton Metropolitan Authority)

WORK GROUP 5

Leader: Bill Nemec (National Trails Council)
Recorder: Gene Schaaf (Bureau of Outdoor Recreation, Lake Central
Region)

Jim Wicks (Michigan Department of Natural Resources)
Don Ledin (Minnesota Department of Natural Resources)
April Young (Open Lands Project, Illinois)
Robert Rasor (American Motorcycle Association)
Gregory Neff (League of American Wheelmen)
John Greenslit (Michigan Recreation & Parks Association)

WORK GROUP 6

Leader: Ronald Singer (Interstate Commerce Commission, Washington, D.C.)
Recorder: John Schelhas (University of Michigan)

Marvon Watson (Michigan Department of Natural Resources)
Paul Maruska (Illinois Department of Conservation)
Dr. B. D. Neff (League of American Wheelmen)
Joe Payne (Indiana Department of Natural Resources)
Teri Littrell (Michigan United Conservation Clubs)
Donald Wiggins (Southeast Michigan Council of Governments)

WORK GROUP 7

Leader: Ray Carson (Duluth Parks and Recreation Department)
Recorder: Walter Robinson (University of Michigan)

Dennis Vitton (Michigan Department of Natural Resources)
Timothy Knopp (University of Minnesota)
Derrick Crandall (Trail Systems and Snowmobile Safety &
Certification Committee, Inc., Washington, D.C.)
William Rennebohm (Bureau of Outdoor Recreation, Washington, D.C.)
Robert Scott (Northeastern Illinois Planning Commission)
Mike Duwe (Eastern Upper Peninsula Regional Planning and
Development Commission, Michigan)
Arlene Schmid (Girl Scouts of America)

ATTENDEES NOT INITIALLY ASSIGNED TO SPECIFIC WORK GROUPS

Barbara Clark (Michigan Student Environmental Confederation
and Community Bicycle Co-Op)
Robert Tyler (Michigan Department of Natural Resources)

SPONSORING AGENCIES' PARTICIPANTS

Bureau of Outdoor Recreation

John Cherry (Regional Director, Lake Central Region)
Richard Rieke (Assistant Regional Director, Lake Central Region,
Workshop Moderator)
William Greene (Workshop Coordinator)
Robert Martin (Workshop Coordinator)
Robert Reed (Workshop Staff)
Gene Schaaf (Workshop Staff)
Donna Miller (Workshop Staff)

Great Lakes Basin Commission

Frederick O. Rouse (Chairman)
Leonard T. Crook (Executive Director)
Louis Meyer (Workshop Coordinator)
Charles Job (Workshop Coordinator)
David Warner (Workshop Staff)
Deborah Appelquist (Workshop Staff)

Workshop participants were invited to rotate their work group assignments after each session to encourage a greater exchange of ideas and to provide for greater contact among individuals.



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Appendix 7

WORKSHOP AGENDA

October 27, 1976

9:00 - 10:00 a.m.	Registration
10:00 - 10:10 a.m.	Welcome and Introduction
10:10 - 10:30 a.m.	Overview of Workshop and Instructions to Participants
10:30 - 12:00 a.m.	First Work Group Session. Topic: Problems Associated with Establishing a Regional Trails System.
12:00 - 1:30 p.m.	LUNCH
1:30 - 2:30 p.m.	Work Group Reports and General Workshop Discussion
2:30 - 3:45 p.m.	Second Work Group Session. Topic: Recommendations for Problem Solutions That Can Be Used in Establishing a Regional Trails System.
3:45 - 4:00 p.m.	BREAK
4:00 - 5:15 p.m.	Work Group Reports and General Workshop Discussion
5:15 - 5:30 p.m.	Summary
7:00 p.m.	DINNER with Guest Speaker, William J. Watt

October 28, 1976

8:00 - 8:15 a.m.	Introduction and Instructions
8:15 - 9:15 a.m.	Third Work Group Session. Topic: Priorities for Addressing Recommendations.
9:15 - 10:00 a.m.	Work Group Reports and General Workshop Discussion
10:00 - 10:15 a.m.	BREAK
10:15 - 11:30 a.m.	Fourth Work Group Session. Topic: Strategies for Implementing the Recommendations.
11:30 - 12:15 a.m.	Work Group Reports and General Workshop Discussion
12:15 - 1:00 p.m.	Summary Statement
1:00 p.m.	ADJOURN