

SCR

32

Date Referred: April 1, 1992

FURTHER REFERRALS:

Date of Committee Action: 4/23/92

The TRANSPORTATION Committee considered:

CSSCR 32(RES)

CS FOR SENATE CONCURRENT RES. NO. 32(RES) SYMMS NAT'L RECREATIONAL TRAILS ACT

Requesting the Governor to take appropriate steps to make the state eligible for the benefits of the Symms National Recreational Trails Act.

RECOMMENDATIONS:

be replaced with CS CS SCR 32 (Trans)  the same title  
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(s): \_\_\_\_\_ (Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (Dept/Date)

fiscal impact \_\_\_\_\_

fiscal note(s) DNR

zero fiscal note \_\_\_\_\_

zero fiscal note(s) DNR, Senate Resource

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eugene A. Kubera</i>	<input checked="" type="checkbox"/>	<i>Paul Hudson</i>		<input checked="" type="checkbox"/>	
<i>Richard [unclear]</i>		<i>Jim [unclear]</i>		<input checked="" type="checkbox"/>	
<i>Paul [unclear]</i>	<input checked="" type="checkbox"/>				

*Richard [unclear]*  
CHAIRMAN'S SIGNATURE

FISCAL NOTE

3

Bill Version: CSSCR32 (RES)

(S) Publish Date: 3-25-92

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Department Affected: DNR, DOT&PF

Title: SYMIT NATIONAL RECREATION BRU: PARKS & RECREATION

TRAILS ACT, STATE ELIGIBILITY Component: PARK MANAGEMENT

Sponsor: Cotten, et al

Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 

0	4	5	2
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL	5.0	5.0	5.0	6.0	7.0	7.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	5.0	5.0	5.0	6.0	7.0	7.0

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND			**	**	**	**
FEDERAL FUNDS	5.0	5.0	5.0	6.0	7.0	7.0
OTHER						
FUND SOURCE:						
TOTAL	5.0	5.0	**	**	**	**

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.) Travel pays cost of appointed six member State Recreational Trails Advisory Board. \*\*By FY'95, the state must appropriate funds for recreational trails in the amount equal to the revenue collected from non-highway recreational fuel taxes. A February 1992 statewide survey of 600 households indicates one-third of Alaskans own off-road recreational vehicles. A minimum of \$100,000 in FY'95 from state gas taxes must be appropriated to the recreational trails program to continue eligibility to receive \$291,000 annually from the federal government.

Prepared By: Neil C. Johansson Phone: (907) 762-2600

Division: Parks & Outdoor Recreation Date: March 20, 1992

Approved by Commissioner: Harold C. Heine

Agency: Department of Natural Resources Date: 3/23/92

FISCAL NOTE

No. 2

Bill Version: CSSCR 32 (RES)

BILL I (S) Publish Date: 3-25-92

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

Revision Date: March 23, 1992  
Title: Eligibility for benefits of the  
Symms National Recreational Trails Act  
Sponsor: Sen. Cotten et al  
Requestor: \_\_\_\_\_

Department Affected: Department of Revenue  
BRU: Revenue Operations  
Component: Income and Excise Audit

COMPONENT SERIAL NO. | 1 | 1 | 3 |

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LANDS & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE	0.0	0.0	0.0	0.0	0.0	0.0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: 0

ANALYSIS: CSSCR 32 requests the governor to take appropriate steps to make the state eligible for benefits from the federal Symms National Recreational Trails Act. In order to be eligible, the state would be required to allocate nonhighway recreational fuel taxes for recreational trails.

Prepared By: Paul Dick Phone: (907) 465-2300  
Division: Income and Excise Audit Date: March 23, 1992

Approved by Commissioner: Darrel J. Rexwinkel *[Signature]*  
Agency: Department of Revenue Date: \_\_\_\_\_

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

No. 1

Bill Version: SCR 32

(S) Publish Date: 3-11-92

Revision Date: March 9, 1992

Department Affected: \_\_\_\_\_

Title: Requesting governor to take steps

BRU: \_\_\_\_\_

to make state eligible for benefits of the \_\_\_\_\_ component: \_\_\_\_\_

Stamps National Recreational Trails Act

Requestor: Cotten Senate Resources

COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Changes in SCR 32 (PES) have no fiscal impact. This fiscal note is appropriate.

3-11-92 date Terry O'Hara TCO Comte Aide (initial)

Prepared By: Senator Lloyd Jones

Phone: 465-3743

Division: Senate Resources

Date: March 9, 1992

Approved by Commissioner: \_\_\_\_\_

Agency: Senate Resources

Date: March 9, 1992

ALASKA STATE LEGISLATURE

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State Capitol  
Juneau, Alaska 99801-1182  
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**SENATOR SAM COTTEN**

TO: Rep. Richard Foster, Chairman  
House Transportation Committee

FROM: Senator Sam Cotten

DATE: April 22, 1992

RE: SCR 32- Supporting Participation in the Symms  
National Recreation Trails Act.

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I introduced this resolution because I believe Alaska can benefit from participating in the Symms National Recreation Trails Act. It would bring in federal money to fund trails and trailhead acquisition which our current revenue situation would not otherwise allow.

The Symms Act provides a good balance for all types of trail use. The Act requires that 30% of money must be spent on trails for non-motorized use and 30% for motorized use. It also emphasizes multiple use by designating the remaining 40% for multiple use areas.

SCR 32 requests that the Governor take all the appropriate steps to make the state eligible for money under the Symms National Recreational Trails Act, including:

- 1) Designation of the division of parks and outdoor recreation as the administering agency
- 2) Establishment of a recreational trail advisory board with representation required under the Act
- 3) Allocation of funds for recreational trails in an amount equal to the revenue collected by the state from nonhighway recreational fuel taxes.

The Act allows up to three years for the states to accomplish these requirements in order to remain eligible for Symms Act funding. One reason for putting this resolution forward is to encourage the administration to take steps well before the deadline. I appreciate your support of SCR 32.

WALTER J. HICKEL  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

March 9, 1992

COMMISSIONER'S OFFICE  
JUNEAU

MAR 11 1992

DEPARTMENT OF  
NATURAL RESOURCES

The Honorable Andrew Card, Jr.  
Secretary of Transportation  
400 Seventh Street, SW  
Washington, DC 20590

Dear Mr. Secretary:

I am pleased that the Intermodal Surface Transportation Efficiency Act of 1991 was enacted because it will have many positive benefits for citizens throughout our state and the nation.

We noted that this Act directs \$180 million dollars to a six-year recreation trails program--referred to as the Symms National Recreation Trails Act. This money will provide a long needed boost to the deferred maintenance of our national, state, and local trail systems. We in Alaska welcome the opportunity to participate in this very important program.

The Division of Parks and Outdoor Recreation, within the Alaska Department of Natural Resources, oversees the preparation of the Statewide Comprehensive Outdoor Recreation Plan (SCORP) required by the Land and Water Conservation Fund program mentioned in the intent language for this Act. Accordingly, pursuant to Sections 1301 through 1304 of the Act, I am pleased to appoint the Alaska State Parks Division as the administering agency for the Symms National Recreational Trails program.

During the next three years, Alaska will be working to establish a state recreation trails advisory board to ensure motorized and non-motorized recreation needs are equitably addressed. Also, as required, we will pursue legislation to appropriate a portion of our non-highway recreational fuel consumption to our state trails program.

The Honorable Andrew Card, Jr.  
March 9, 1992  
Page 2

The hikers, skiers, dog mushers, equestrians, snowmobilers, and off-highway vehicle operators of Alaska will all benefit from this recreational trails program.

with best regards.

Sincerely,

S/S WALTER J. HICKEL  
Walter J. Hickel  
Governor

cc: Commissioner Harold Heinze  
Department of Natural Resources  
Commissioner Frank Turpin  
Department of Transportation  
and Public Facilities  
Neil Johannsen, Director  
Division of Parks & Outdoor Recreation  
Department of Natural Resources  
John Katz, Special Counsel  
State/Federal Relations  
Office of the Governor, Washington, D.C.



### QUESTIONS AND ANSWERS ON THE SYMME TRAIL FUND ACT

**Now that the Symme Trail Fund Act has passed who will administer the program?**

The Secretary of Transportation in consultation with the Secretary of the Interior will administer the program.

**When do we get the money and how much?**

30 million dollars for the whole country will be available each year starting in 1992 through 1997. It will be divided up this way:

Up to 3% or \$900,000 is set aside off the top for administration and the expenses of the advisory board. Some of this money goes to survey the non highway fuel consumption by State. Some will go for research on how to increase compatibility of uses, education, technical assistance, and preparation of a national trails plan.

Half of the remaining \$29,100,000 will be available to be divided equally among the 50 States, or \$291,000 per State.

The remaining half (\$14,550,000) will be available to be distributed to the States proportional to the amount of off-highway gas consumed in each State. Data from State registration programs may be used in this calculation.

State agencies active in working for this legislation have already estimated their share. For example, Idaho will get approximately a total of \$500,000, Wisconsin \$1,800,000, and Pennsylvania \$800,000.

States must apply to the Secretary of Transportation to get the money.

**What State agency will administer the money?**

The particular State agency in charge of administration will be identified by the governor of that State. Typically, it will be that State agency now in charge of recreation.

The Trails Bill specifies that in three years, each State must meet the following criteria in order to receive additional funds:

1. Establish a recreational trail advisory board with both motorized and non-motorized representatives.
2. The State must dedicate an amount equivalent to its own nonhighway recreational fuel taxes to recreational trails. Several States like Idaho, Montana, Washington, Arizona, and California do already.
3. The State governor has designated the State official/s who will be responsible for administration.
4. The State applies for recreational trail projects authorized by the Trails Fund Act.

### How can the money be used?

The Statement Of Intent in the Trails Fund Act states that the money should be used for trails and trail related projects which have been planned and developed under existing laws, policies, and administrative procedures within each State. The projects should further a specific goal of a trail plan included or referenced in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) required by the Land & Water Conservation Fund Act.

1. Up to 7% can be used for administration.
2. Up to 5% can be used for environmental protection and safety education.
3. Development of urban trails near homes and workplaces.
4. Maintaining existing trails. Including snow trail grooming and maintenance.
5. Restoration of areas damaged by trail use and other types of back country terrain use (applies to all users).
6. Development of trail side and trail head facilities that meets the goals set by the National Recreational Trails Advisory Committee (they probably wouldn't approve of fancy toilets built next to gravel pits).
7. Providing handicapped access.
8. Acquiring easements or corridors for trails as identified in a State trails plan.
9. Acquiring property from a willing seller when access cannot be accomplished any other way.
10. Construction of new trails on State, municipal, county, or private lands where a need is shown.
11. Where necessary as required by SCORP, construction of new trails crossing federal land. Such construction must first comply with existing land management plans (and the federal laws governing those plans) and go through the National Environmental Policy Act (NEPA) process.

### Are there any uses that are not permitted?

Yes. They are:

1. Condemnation of property.
2. Construction of new trails for motorized use on National Forest or BLM land that the respective agency has recommended for Wilderness designation.
3. Upgrading for motorized use trails that have been predominantly non-motorized and on which motorized use has not occurred or has been prohibited.

### Are there any special provisions for existing trails that cross private property?

Yes. Trail Fund Act money can be spent maintaining and improving trails that cross private property. However, the State must obtain written assurances that the owner of the property will cooperate with the State. It also must be accompanied by an easement or legally binding agreement that ensures the public will have access to the funded trail improvements.

### Who is represented on the National Recreational Trails Advisory Committee and how are they chosen?

There are 8 members appointed by the Secretary of Transportation from nominations submitted by trail recreational organizations:

1. Hiking
2. Cross-country skiing
3. Off-highway motorcycling
4. Snowmobiling
5. Horseback riding
6. All terrain vehicle riding
7. Bicycling
8. Four wheel driving

Any action, recommendation, or policy must be supported by at least 6 of the above members. There are two additional members appointed by the Secretary from nominations submitted by representative organizations.

1. Hunting & fishing
2. Water trails

There is an "appropriate official of government with a background in science or natural resources management", appointed by the Secretary. State, local government, or Federal officials are eligible. This official serves as the Chair and is non-voting.

#### How often do they meet? What are their terms?

They are required by law to meet at least twice annually. They can meet more often if necessary.

Three years. In order to stagger the terms, five of the eleven positions serve initially for two years, with subsequent appointments to those positions extending for terms of three years.

#### What are their duties?

1. Review how the States use their funds to assure it conforms to the purposes of the Trail Fund Act.
2. Establish and review criteria for trail side and trail head facilities that qualify for funding.
3. Recommend changes in Federal policy to the Secretary that will advance the purposes of the Trail Fund Act.
4. Present the Secretary with an annual report of activities.
5. Within four years, present Congress with a report that summarizes the annual reports, describes funded projects, and recommends changes in Federal policy.

#### To whom can the States grant money?

Private individuals, organizations, city and county governments, and other government agencies as approved by the State.

Any State issuing grants must assure that the recipients comply with the specified conditions for uses specified by the Trail Fund Act.

**What are the conditions for use?**

30% of Trail Fund Act funds received annually by a State must be spent for motorized recreation.

30% of Trail Fund Act funds received annually by a State must be spent for non-motorized recreation.

States must give preference to project proposals that:

1. Provide for the greatest number of compatible recreational purposes.
2. Provide for innovative corridor sharing that accommodates both motorized and non-motorized use.

States must spend 40% of their Trail Fund Act funds in the above manner.

**When and how will applications to the National Advisory Board be solicited?**

There will likely be a public announcement from the Secretary of Transportation that applications will be accepted shortly after the first of the year in 1992.

Applications should take the form of a letter from a nominating organization stating the credentials of the organization and the qualifications of the nominee. Copies of this nominating letter should be sent to Senator Symms.

**When can the States start applying for the money?**

Sometime in the spring of 1992, after the National Advisory Board is in place.