

SCR

32

**STATE COMMITTEE REPORT**  
**FIRST COMMITTEE OF REFERRAL**

DATE: 2/18/92

FURTHER:

Date of 5-Day Notice: 3-5-92  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-11-92

Resources                      Committee considered                      SCR 32

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

and recommends:

replace with \_\_\_\_\_ CS SCR 32 (Res)

attaches amendment(s)

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

same title  
 new title  
 technical title change  
(HB only)

do pass

do not pass

no recommendation

individual recommendations

**NEW FISCAL NOTES:**                      Dept/Date

zero fiscal notes S. RES  
SCR + CS

fiscal notes \_\_\_\_\_

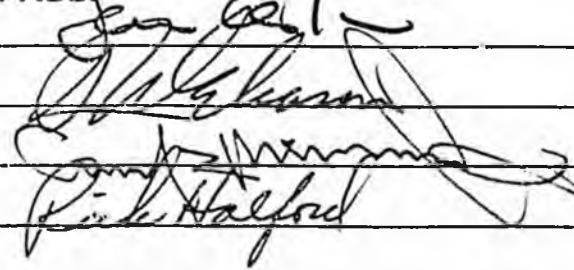
appropriation--no fiscal note

**PREVIOUS FISCAL NOTES:**                      Dept/Date

Governor's bill with fiscal notes:  
zero fiscal notes \_\_\_\_\_

fiscal notes \_\_\_\_\_

**DO PASS**



**OTHER RECOMMENDATIONS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Hynd Jones (Do Pass)  
Chair/Signature and Recommendation



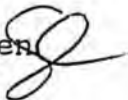
# Alaska State Legislature

## SENATE

Official Business

P.O. Box V  
State Capitol  
Juneau, Alaska 99811

TO: Senator Lloyd Jones, Chairman  
Senate Resources Committee

FROM: Senator Sam Cotten 

DATE: March 6, 1992

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

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Thank you for bringing SCR 32 before the Senate Resources Committee. 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.

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

**Now that the Symms 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.

*Copy to Gov*  
Symms Trails Fund Act  
Questions + Answers

### 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 5 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.



P.O. BOX 210427 ANCHORAGE, AK 99521-0427

March 4, 1992

Senator Lloyd Jones, Chairman  
Senate Resources Committee  
Alaska Senate, MS 3100  
P.O. Box V  
Juneau, Ak 99811

Dear Senator Jones:

First, on the behalf of the Snowmobilers of Alaska, I would like to thank you for bringing Senate Concurrent Resolution No. 32 up for a hearing. The Alaska State Snowmobile Association, ASSA, represents the snowmobilers of Alaska. Twelve active clubs, from Kodiak to Haines, are directly affiliated with the Association with a total of near 3,000 members and 3 more clubs currently being organized. Association individual and club membership includes both the rural and metropolitan areas of Alaska. This family sport spends in excess of \$40,000,000 annually in Alaska, with over \$25,000,000 spent on more than 5,000 new machines each year.

The Alaska State Snowmobile Association supports the passage of SCR 32. In order to receive the funds from the Symm's Act, the Governor must take action to make Alaska eligible. The Association encourages the Governor to designate the Department of Natural Resources, Parks and Outdoor Recreation Division to administer the funds.

The funds from the Symm's Act will directly benefit both motorized and non-motorized outdoor recreational users. Since it is a rebate of collected highway tax from the sale of fuel used in off-road vehicles, it is being funded by the motorized user groups. A formula, required by the enabling legislation requires that the funds be spent: 30% motorized, 40% multiple use, and 30% non-motorized trails and allows a percentage to be used to fund the management of the state program. In today's fiscally troubled times, Alaska's portion, currently estimated as \$340,000 annually, will fund both jobs and recreation with no impact to the State. It's a win-win situation for all.

Again, thank you for your support. If the association can be of any assistance, please do not hesitate to contact me.

Sincerely,

Ronald E. Godden  
President

Support Letter  
Alaska State Snowmobile Assoc

**FISCAL NOTE**

**STATE OF ALASKA  
1992 LEGISLATIVE SESSION**

**BILL NO. SCR 32**

Revision Date: March 9, 1992 Department Affected: \_\_\_\_\_

Title: Requesting governor to take steps BRU: \_\_\_\_\_

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

Sponsor: National Recreational Trails Act

Requestor: Cotten \_\_\_\_\_ 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						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
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<b>REVENUE</b>						
<b>FUND SOURCE:</b>	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
<b>TOTAL</b>	-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: \_\_\_\_\_ Changes in SCR 32 (PES)

**ANALYSIS: (Attach a separate page if necessary.)** 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 *[Signature]* Date: March 9, 1992

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

Agency: Senate Resources Date: March 9, 1992




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