

NEW YORK STATE TRAILS COUNCIL MEETING
Peebles Island State Park
March 19, 2011
11:00 am – 3:00 pm

DRAFT Minutes

1. Call to Order – Roll Call
 - All Terrain Vehicles - Moak Detraglia, Bob Diehl
 - Off road Bicycling - Michael Vitti, Jim Mitchell (new delegate replacing Jill Sprance)
 - On Road Bicycling: Ivan Vamos, Samantha Langton (new delegate),
 - Equine Trail Interests – Mark Wehnau, Carol Schmelz
 - Four-Wheel Drive - Todd Syska
 - Hiking - Quinn Wright, Jane Daniels
 - Nordic Skiing - James Underwood, Tony Goodwin
 - Off-Highway Motorcycles – no representatives
 - Running – no representatives
 - Snowmobiling - Anne O'Dell, Dominic Jacangelo (new delegate), Robert Bryant
 - Snowshoeing – Katherine Wolfe
 - Water Trails - Mike Prescott

Agency Representatives:

OPRHP - Steve Lewis, Nancy Stoner, Tom Lyons
DEC – Justin Perry
DOT- not represented
DOH – Elaine Troy
FHWA – not represented
CANAL CORP. – John DiMura
NATIONAL PARK SERVICE - Karl Beard
PTNY – Martin Daley
Hudson River Valley Greenway – Beth Campochiaro
NY Bicycling Coalition – Brian Kehoe

Correction/Approval of minutes – September 25, 2010 Meeting

In the delegate report section, correct the spelling of Karmins River to be Carmen's River
Under Elections – correct President and Vice President to be Chair and Vice Chair.
Motion to approve as changed, seconded and passed. Minutes accepted as corrected.

2. **New Delegates** – Dominic Jacangelo - Dominic was proposed to fill a vacancy for snowmobiling – he is very well qualified - voted in unanimously, replacing Dave Perkins. NYSSA anticipates another delegate to be proposed in the future.

Jim Mitchell and Samantha Langton were proposed to fill slots open for bicycling. However, there was only one slot open. Then Jane Daniels proposed that “On road” and “Off road” (mountain biking) become two separate user groups for representation on the committee. A discussion ensued about pros and cons of this plan. The discussion covered the needs of the committee, laws related to regulation of wheeled vehicles, numbers of wheels, usage,

equipment and registration questions. It was determined by discussion that the needs of the two groups are significantly different enough for them to be considered as two groups.

Final vote was taken: Decision is to have two Bicycle user groups represented, Off Road and On Road. The vote recorded all in favor, with 2 dissenting votes.

Such a vote is authorized in Article II Section 2 of the By-Laws – "Interested user-groups, with significantly unique trail needs, not represented on the Council, may petition for inclusion and may be admitted by an affirmative vote of the Council."

Mike Vitti and Jim Mitchell will represent Off Road groups.

Ivan Vamos and Samantha Langton will represent On Road groups.

Each group, On Road and Off Road, carries 3 seats, so there are now 2 openings for bicycle representatives.

By-Laws will be updated to reflect this change.

3. **Presentation** – Jane Daniels – Yorktown Project.

Jane presented a Power Point recap of the successes in organizing and implementing plans to increase trails in Yorktown. By working in cooperation with a Mountain Biking organization (WMBA), they were able to accomplish a great deal in a short time.

Highlights are:

- 35 volunteers worked over 700 hours. 150 admin hours were donated.
- new property acquired that makes a trail circuit possible
- fits into the comprehensive plan and can be funded by an existing tax per household.
- built 4.3 miles of trail in one year
- The trail conference and WMBA are communicating on all levels for all decisions.
- Two types of trails are being maintained – one for walkers/joggers – one for mountain bikers and walkers/joggers. Signage is/will be clear for all users.

Presentation – Katherine Wolfe - Snowshoes

Snowshoers are not usually organized into active groups the way trail users tend to organize themselves. Snowshoers tend to be independent types.

In commercial locations, there may be several trails for different uses, such as snowshoeing, skiing, maybe even snowmobiling nearby.

Several types of snowshoes were displayed, including the inexpensive, the old, and the type that are hinged with cleats and step in bindings.

Snowshoes may be about 6000 years old. First use – documented for Laplanders.

Snowshoes were used on horses in Newfoundland in order to facilitate logging.

Snowshoes are invaluable in winter search and rescue. Snowshoes have been used in war during winter battles - documented in history.

In purchasing, figure your weight plus what you will carry, look for easy access bindings, and cleats. Cleats are needed for a sure grip and a flexible heel is necessary for ascending hills.

41 % of people who snowshoe are women and 44% are under 50.

No special footwear is required - but boots are good

4. **Delegate Reports and Concerns**

Water Trails:

Buttermilk Falls and the Northern Forest Canoe Trail – needs volunteers for trail maintenance - Check with Mike Prescott if you want more information – or Google, and search under the "get involved" or "volunteer opportunities" sections.

Racquette River awareness week is the first week in August – <http://www.racquetriver.com/> for more information

ADK – wild scenic and recreational rivers program is being revitalized and can use- surveyors – <http://www.dec.ny.gov/permits/6033.html>

DOJ – Has ruled that some Power Driven Mobility Devices can be used in "facilities" in order achieve access for all. Universal design is good, but some are concerned about on trail motorized use that may be illegal and not following the DOJ guidelines.

A webinar hosted by American Trails made clear the restrictive wording of what constitutes an assistive device that would be allowed on trails. Go to - <http://www.americantrails.org/resources/accessible/power-mobility-questions-answers.html> for more information from American Trails.

The Official NYS DEC statement on this ruling can be found at: <http://www.dec.ny.gov/outdoor/73029.html>

And is reproduced here:

DEC Statement on Power Driven Mobility Devices

New Federal Rule on Power Driven Mobility Devices on Outdoor DEC Lands

"In meeting the mandates of this new rule, DEC will continue to allow the use of cars, trucks and all-terrain vehicles by permit on designated routes as authorized in Commissioner Policy # 3, and will consider issuing permits, on a case-by-case basis, for the use of other types of power driven mobility devices on these CP-3 routes. DEC will also consider, on a case-by-case basis, issuing permits for the use of power driven mobility devices on routes that are not currently open pursuant to Commissioner Policy #3. Advance requests for such permits must be made to the DEC Access Coordinator. Requests for permits must include proof of disability or other credible assurance that the power driven mobility device is to be used for a mobility disability.

All New York State laws, rules and regulations regarding public motor vehicle use remain in effect. Wheelchairs are allowed anywhere pedestrians are allowed on State lands."

Specific clarification and wording from the DOJ Revised Title II Regulation is available at: http://www.ada.gov/regs2010/titleII_2010/titleII_2010_withbold.htm Section 35.137 – Mobility devices –

This section states:
35.137 Mobility devices.

(a) *Use of wheelchairs and manually-powered mobility aids.* A public entity shall permit individuals with mobility disabilities to use wheelchairs and manually-powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use.

(b)(1) *Use of other power-driven mobility devices.* A public entity shall make reasonable modifications in its policies, practices, or procedures to permit the use of other power-driven mobility devices by individuals with mobility disabilities, unless the public entity can demonstrate that the class of other power-driven mobility devices cannot be operated in

accordance with legitimate safety requirements that the public entity has adopted pursuant to § 35.130(h).

(2) *Assessment factors.* In determining whether a particular other power-driven mobility device can be allowed in a specific facility as a reasonable modification under paragraph (b)(1) of this section, a public entity shall consider—

- (i) The type, size, weight, dimensions, and speed of the device;
- (ii) The facility's volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
- (iii) The facility's design and operational characteristics (e.g., whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user);
- (iv) Whether legitimate safety requirements can be established to permit the safe operation of the other power-driven mobility device in the specific facility; and
- (v) Whether the use of the other power-driven mobility device creates a substantial risk of serious harm to the immediate environment or natural or cultural resources, or poses a conflict with Federal land management laws and regulations.

(c)(1) *Inquiry about disability.* A public entity shall not ask an individual using a wheelchair or other power-driven mobility device questions about the nature and extent of the individual's disability.

- (2) *Inquiry into use of other power-driven mobility device.* A public entity may ask a person using an other power-driven mobility device to provide a credible assurance that the mobility device is required because of the person's disability. A public entity that permits the use of an other power-driven mobility device by an individual with a mobility disability shall accept the presentation of a valid, State-issued, disability parking placard or card, or other State-issued proof of disability as a credible assurance that the use of the other power-driven mobility device is for the individual's mobility disability. In lieu of a valid, State-issued disability parking placard or card, or State-issued proof of disability, a public entity shall accept as a credible assurance a verbal representation, not contradicted by observable fact, that the other power-driven mobility device is being used for a mobility disability. A “valid” disability placard or card is one that is presented by the individual to whom it was issued and is otherwise in compliance with the State of issuance’s requirements for disability placards or cards.

Section 35.104 provides these definitions:

Wheelchair means a manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or of both indoor and outdoor locomotion. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207 (c)(2).

and

Other power-driven mobility device means any mobility device powered by batteries, fuel, or other engines—whether or not designed primarily for use by individuals with mobility disabilities—that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this section. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207(c)(2).

Mountain Bikes – reported receiving an award from Parks & Trails NY (PTNY) to develop a Trail Ambassador program. The organization also received \$10,000 from Recreational Equipment Incorporated (REI). A summer biking program for kids in the City will be started this year. .

Bob Bryant reports that Saratoga County is developing old logging trails as horse, bike, hike trails.

Ivan Vamos reports that the Champlain Bridge is progressing. Also that the Livingstone Ave. RR bridge across the Hudson has a pedestrian walkway now. The bridge needs work, possible replacement. The CDTC Bike and Pedestrian Taskforce is advocating for keeping the walkway. Rails To Trails has examples of ways to keep a walkway/trail along active RR tracks, properly separated. DOT and Amtrak will be informed about these possible solutions. A walkway over the Hudson at this point maintains the connection between Albany and Rensselaer.

Other examples of RR/trail/walk/bike sharing were shared by delegates at the meeting. Saratoga has a new trail in Ballston Spa that co-aligns with a RR. It was a very expensive project. It currently allows only hiking and biking (no snowmobiles). An access road crosses the RR. The solution was an electric gate that allows access only under certain circumstances.

5. Lunch Break

6. Agency Reports

A. OPRHP

Tom Lyons/Nancy Stoner

Tom Lyons (OPRHP) made a short announcement – Rose Harvey is the new Commissioner of OPRHP. Tom Lyons thanks us for our participation and help in protecting resources. He states that he is learning from us today. He also welcomed Nancy Stoner to her new position and recommends her as a resource for us all.

Nancy presented an update on Park Plans, completed and in the works. If you want information on the complete presentation, Nancy can be contacted directly. Some points made:

2009-2010 Park Master Plans – Robert Wehle plan was adopted Nov. 2010, Fahnestock/Hudson Highlands (w/ Trails Plan) adopted December 2010, Green Lakes (w/ Trails Plan) final to be published March 23, 2011.

2010-2011 Park Master Plans - Grafton Lakes (w/ Trails Plan), Sunken Meadow, Ogden Mills and Ruth Livingston Mills SP/Norrie SP and Staatsburgh SHS (joint planning document and w/ Trails Plan) and Sampson SP – all plans have started.

- Grafton Lakes - public information meeting and meeting with trail groups was well attended and well received.

Harlem Valley Rail Trail – 46 mile corridor; currently ~15 miles are open; and an EPF grant will allow a look at 4 more miles in Columbia Co., Project is through the Columbia Land Conservancy to complete final design planning and engineering for section from Taconic SP to hamlet of Hillsdale.

Statewide Trails Plan was adopted in December 2010. Implementation process/plan and next steps will be further fleshed out in partnership with PTNY.

Recreational Trails Program (RTP) awards were announced on the website in January 2011 – recently 5 more grants were able to be funded. Nancy Stoner is now responsible for some of the program administration for the RTP.

RTP Achievement awards applications are due 3/31 – Sterling Nature Center Trail (Cayuga County) and Town of Orchard Park Trail Project (Erie County) will be submitted... others are welcome.

A short discussion of RTP funds and the distribution between motorized and non motorized projects ensued. Funding sources were noted.

Accessibility – DOJ ruling took effect 3/15/11 – wheelchairs and walkers are allowed everywhere pedestrian traffic is allowed – Other Power-Driven Mobility Devices (OPDMDs) are also allowed – but this is not a blanket invitation to wheeled/powered equipment used by anyone without mobility needs. See the previous information supplied in these notes. OPRHP is working on a transition plan to address implementation of the regulations.

Question: When OPRHP develops MOUs with towns for management of State Parks, is there a standard # of years for the lease/agreement? Answer: There is no “standard” length of Cooperative Operation and Maintenance Agreements with municipalities. While 5 or 10 years is most common, OPR has entered into longer agreements when the municipality is making a capital investment in the parkland, such as trails, buildings, etc. Then OPR would lengthen the term to allow the municipality to recover the value of its investment.

B. DEC Justin Perry

- Strategic Plan For State Forest Management – The Strategic Plan for State Forest Management is done as of 12/31/10 – statewide management plans are more important in light of retiring staff and loss of agency historic memory.
- Strategic Plan for State Forest Management is available on line at: <http://www.dec.ny.gov/lands/64567.html>
- Backcountry Stewards Program – The new Backcountry Stewards Program is being developed by DEC, in partnership with the Student Conservation Association (SCA) and will employ college age adults who will work seasonally on high recreational use State lands to educate the public about the proper use of the resources. Hiring will be through the SCA. We anticipate having up to 26 stewards in the field by Memorial Day weekend.

- DEC website Updates – DOJ mobility rule is on the site – updated website may be forthcoming and is getting better – users should keep trying
- Genesee Valley Greenway Update – OGS is transitioning the documents and OPRHP will be the sponsoring agency; transferring jurisdiction and administration of the 90 mile facility from DEC to OPRHP.
- Moose River Plains Partnerships – maintenance issues and the great expense of maintenance almost forced a closing, however the Partnership came into being in order to share the maintenance expenses, work issues, etc. Press releases are available on the website – about fiscal and accessibility issues at Moose River.
- Temporary Revocable Permit (TRP) Policy Update – policy being worked on to include all state land managers and Regions. This is not an easy thing to do because of rules across agencies. Competitive events, for example, may require more insurance for permitting. Discussions include the differences between bike races vs fishing contests, and whether insurance issues are different for different types of competitions. Hopefully the TRP policy will be finalized soon and will include expedited and/or modified expedited process which will make it easier to get a permit, faster. TRP policy, when adopted, will be uniform across the State – some regions may be more casual.

Question – Is "Adopt a Natural Resource" being updated? Answer: Adopt a Natural Resource should be uniform across the state. However, Region I may be a little different.

A request was made for DEC to update their maps to indicate access roads...

Also, questions were raised about opening dates for some parks, conditions on some trails.

Justin will get answers to questions not answered.

c. FHWA Richard Beers was unable to attend; no update at this time.

7. Announcements –

Ivan Vamos received the 2010 State Trail Advocacy Award and Eddie Walsh received the State Trail Worker Award from American Trails.

The Trail Advocacy award is given to an individual that has demonstrated successful efforts to influence public policy relating to trail planning, trail protection, trail development, or maintenance.

Read the entire article at: <http://www.americantrails.org/awards/NTS10awards/NY-Ivan-Vamos.html>

Champlain Trailway Action Plan will be completed by the end of March and will be posted on the National Park Service website. Karl Beard also reports that he is available to help with action plans for Rivers and Trails Conservation Assistance.... Find Karl at www.nps.gov/rtca

Event: Columbia County Trails Conference Date(s): 4/2/2011 Time: 9:00 AM - 3:00 PM

Description: We have great speakers and panelists lined up, including Jeff Olson, internationally known trail planner with Alta Planning (Saratoga Springs), Julie Stokes (Saratoga County), Marlene Bissell (Champlain Canalway), Ruth Elwell (Walkill Valley Rail Trail), as well as local volunteers speaking about exciting Columbia County developments with the Harlem Valley Rail Trail and Kinderhook/Stuyvesant/Stockport Intermunicipal Trail. The conference day will culminate in a "visioning" session with small breakout groups to map a potential countywide trail system.

Registration cost is **\$15. per person**, covers morning refreshments, beverages, and lunch. Due to space limitations, we are urging **advance paid registration no later than March 23rd**. Registrations will be accepted after that date if space is available, with a registration cost of \$18. per person.

Location: Columbia-Greene Community College

Address: 4400 Route 23

City, State: Hudson, NY

Organization: Ellen Jouret-Epstein, Columbia Land Conservancy

Phone: (518) 392-5252, ext. 208

Website: <http://clctrust.org/pdf/TrailsConference.pdf>

Columbia Land Conservancy and the Hudson River Valley Greenway, co-sponsors: the National Park Service/Rivers, Trails and Conservation Assistance Program, New York State Office of Parks Recreation and Historic Preservation, and Parks & Trails New York

Martin Daley – PTNY – requests reinstatement of the Universal Trail Assessment Process (UTAP) training program for access to trails for persons with disabilities. It provides additional information at trailheads so people can decide if they are capable of traversing the trail.

Also PTNY – reports that they received grant money from the Hudson River Valley Greenway to put out a cycling guide for the greenway – this will include 200 of the best sites in the Hudson Valley – and how to find the best bike route. 95% of this route is on road...so it was not an easy thing to map it out. The guide is due to be published in early summer.

John DiMura for the Canal Corp - The Canal Corp. revised their rules to allow snowmobiling use along the Canal, case by case permitting is required. NYS Snowmobiling Association members can apply to the Canalway for permits once their local region club has applied and been approved. Currently there are 7 clubs approved to use the Canalway Trail.

The 6th Annual Canal Splash is August 12 – 14 – SAVE the DATE –

<http://www.canals.ny.gov/exvac/special-events/index.html>

or call 518-436-3034 if you are hosting an event along the Canal during those dates.

Canal Clean Sweep - Clean sweep has 80 events signed up to help clean up in the spring
The 6th Annual Canal Clean Sweep is scheduled to take place during the weekend of April 15 - 17, 2011. Register your event now by visiting Parks & Trails NY's website, www.ptny.org/canalway/sweep/index.shtml.

Hudson Valley Greenway – was nominated for the "Heart of Green" award for both land and water trails.

In July – the "Great Hudson River Paddle" for 2011 will be more like a month long ramble of shorter trips rather than a week long event.

In September – all weekend will be part of the Hudson River Ramble

Save the date for Heritage Weekend 2011 - May 14-15 2011!

[http://www.hudsongreenway.state.ny.us/news/10-11-](http://www.hudsongreenway.state.ny.us/news/10-11-02/Save_the_date_for_Heritage_Weekend_2011_-_May_14-15_2011.aspx)

[02/Save_the_date_for_Heritage_Weekend_2011_-_May_14-15_2011.aspx](http://www.hudsongreenway.state.ny.us/news/10-11-02/Save_the_date_for_Heritage_Weekend_2011_-_May_14-15_2011.aspx)

<http://www.hudsongreenway.state.ny.us/news/10-11-02>

Heritage Weekend's inaugural launch in 2009, which celebrated the Hudson-Fulton-Champlain Quadricentennial, attracted tens of thousands of visitors to the Hudson and Champlain Valleys.

The weekend long event was so successful that in 2011 we are going to take it State wide! The 2011 State Wide Heritage Weekend celebration will take place during the weekend of May 14th and May 15th, 2011. We are timing this event to coincide with "National Preservation Month" and the start of the summer tourism season, when many historic sites are opening for the year. Join us. You can bring the success of the 2009 event to your backyard in 2011!

Travel Reimbursement – if you need travel reimbursement – the forms are available from Nancy Stoner.

8. Old Business - none

9. New Business -

A request was made to have the names of the new delegates posted on the OPRHP website.

Nancy Stoner wants to invite Andy Labruzzo, NYS Department of State, Coastal Resource Expert to the September meeting – All agreed that this was good idea.

A suggestion was made to have the chair write letters to the new heads of DEC, Parks and the Canalway congratulating them on their new appointments. Anne O'Dell will write the letters.

A Nominating Committee was formed to propose a slate of Officers to be elected in September 2011 – the committee consists of Robert Bryant, Mark Wehnau and Jane Daniels.

The Nominating Committee will follow the rules stated in the By-Laws
"Article IV –Officers

1. The officers shall be the Chair and Vice-Chair. The Office of Parks, Recreation, and Historic Preservation will provide administrative and secretarial support until such time as the, Commissioner or the Council deems otherwise.
2. Officers shall be elected annually from among the delegates. They will serve for one year from the date of election and are eligible for re-election.
3. The Chair shall preside at all meetings of the Council and exercise general supervision over the affairs of the Council. The Vice-Chair shall preside in the absence of the Chair.
4. The Chair shall appoint a Nominating Committee before the regular meeting next preceding the meeting at which the election will be held. **The Committee shall report to OPRHP the names of the nominees not later than 45 days prior to the election.** Nominees must accept nomination.
Any delegate may nominate candidates either by mail 45 days in advance or from the floor at the meeting."

10. Next meeting date/location: **September 17, 2011 at Schodack Island SP** – The date was changed to accommodate the availability of the most delegates.

11. Adjourned at 2:09 pm