

August 7, 2006

Finance Committee: 7-31-2006

RESOLUTION NO. _____

**CREATION OF THE ST. LAWRENCE COUNTY
ATV/MULTI-PURPOSE RECREATIONAL TRAIL SYSTEM**

By Mr. Cook, Chair, Finance Committee
Co-Sponsored by Mr. MacKinnon, District 4

WHEREAS, All Terrain Vehicle (ATV) use in St. Lawrence County has grown in recent years and St. Lawrence County has the highest number of registered ATVs in New York State, and

WHEREAS, the use of ATVs has thus far been largely without oversight and therefore has posed problems of nuisance, illegal use, and trespass, and

WHEREAS, in an effort to curb such use and give riders safe and legal trails, the County wishes to recognize and encourage the economic, environmental, safety, and investment benefits of regulated recreational trail use, both locally and on a regional basis with adjoining counties,

NOW, THEREFORE, BE IT RESOLVED that St. Lawrence County Board of Legislators agrees to move forward with the recommended St. Lawrence County ATV-Multi-Purpose Recreational Trail System as defined in the attached documentation, and

BE IT FURTHER RESOLVED that the Planning Office draft appropriate State Environmental Quality Review (SEQR) documents and resolutions to affect same.

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ST. LAWRENCE COUNTY ATV TRAIL SYSTEM PROGRESS AND RECOMMENDATIONS

Two years ago, the St. Lawrence County Board of Legislators formed a committee in response to a request from the SLC ATV Association for assistance in opening certain town and county roads to make possible an ATV trail system that would provide safe and legal use for ATVs in the County and help curtail ongoing problems of nuisance, illegal use, and trespass.

The Committee, made up of representatives of the various stakeholder groups, has been meeting regularly during these two years with general progress reports to the Board of Legislators. Its work has included the plotting of a cross-county southwest to northeast main corridor, connecting with trails in Lewis and Jefferson Counties to trails in Franklin County and beyond. As you are aware, both Lewis and Jefferson Counties have instituted full-time Trail Coordinator Positions to take advantage of local and regional planning to realize the greatest economic benefit of recreational trail use.

In St. Lawrence County, dedicated volunteers of the ATV Association and its member clubs have taken on this work. Countless hours have been spent and great expense has been incurred by this group whose only goal has been to find practical, reasonable, and legal solutions to the problems they faced. The Committee has been quite proud to work with them.

After finding the main corridor across the County to be theoretically workable, phase two for our committee was putting some of the logistical trail planning into practical application, and thereby establishing a “test” or “pilot” system of trails to prove these could be successfully opened and maintained properly over the course of time. We looked at several parcels of County Reforestation Land that lay within close proximity to each other, which were already crisscrossed with existing logging roads suitable to ATV use, and were connected by town roads. We found such a grouping in the Parishville area.

In general, one of the major impediments to the establishment of ATV trails has been the legal challenges to opening roads to ATV traffic, due to the clause in the NYS Traffic Law that states ATVs may use public roads only when it is otherwise impossible to gain access from one ATV area to another, or “trailhead to trailhead”. Indeed, two St. Lawrence County townships were forced to close roads previously opened because that clause was not proven.

It is our belief, given the interpretation and decisions by SLC Supreme Court Judge Demerest during these legal challenges, that our Pilot Trail will meet the more clearly defined criteria for the “otherwise impossible” clause, and allow for limited road use to reach from one reforestation area to another. Therefore, this major obstacle can be legally overcome.

You will find all the detail and maps in the Creation of the St. Lawrence County ATV/Multi-Purpose Recreational Trail System Information on file in the Board of Legislators’ Office.

August 7, 2006

At this time, the Legislative ATV Committee is prepared to make the following recommendations to the Board of Legislators:

1. That the resolution be adopted by the Board of Legislators establishing the "Creation of the St. Lawrence County ATV/Multi-Purpose Recreational Trail System", to formally allow and/or restrict ATV use on the pertinent County Reforestation parcels.
2. That the Board of Legislators conduct a State Environmental Quality Review (SEQR) where necessary on the proposed St. Lawrence County ATV Multi-Purpose Recreational Trail System.
3. That the County appropriately open County Route 58 from Cook Road to Ashton Road as part of the St. Lawrence County ATV Multi-Purpose Recreational Trail System to allow ATV use.
4. That the St. Lawrence County Board of Legislators request or recommend to the Town of Parishville that by resolution, they formally include the necessary segments of their town roads as part of the St. Lawrence County ATV-Multipurpose Recreational Trail System.
5. That the St. Lawrence County Board of Legislators recognize the importance of proper enforcement of trail rules on all trail users.

The Committee would also recommend at this time that a "Public Lands Recreation Advisory Board" be created by the Board of Legislators and its function is outlined below:

- The Advisory Board would formally make recommendations to the Board of Legislators, regarding appropriate use of county public lands for all recreational purposes by formulating an official policy on the uses, and periodically review that policy for revision.
- The Advisory Board would oversee SEQR studies to determine appropriate recreational use on public lands when necessary as approved by the Board of Legislators.
- The Advisory Board would have oversight of trail limitations and restrictions, and would accept input from various user groups to insure fair and equitable use of county land by everyone.
- The Advisory Board would have oversight on trail care, signage, and maintenance by establishing a contract system with user groups similar to the New York State "Adopt a Natural Resource" Program as stipulated by the Board of Legislators.
- The Advisory Board would make recommendations regarding law enforcement where use of public lands was involved.
- The Advisory Board would make recommendations to the Board of Legislators for the formal designation of "County Trail Systems" as they are established, for the purpose of continuity, clarity, and legal standing.
- The Advisory Board would request that the Board of Legislators make recommendations and requests of townships for their cooperation in designating roads as open for use as a connecting part of a Trail System.