

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 415 (as introduced 4-24-01)  
Sponsor: Senator Philip E. Hoffman  
Committee: Hunting, Fishing and Forestry

Date Completed: 4-24-02

## **CONTENT**

**The bill would amend Part 721 (Michigan Trailways) of the Natural Resources and Environmental Protection Act to authorize the Natural Resources Commission to designate a water-based trailway as a "Michigan trailway" if the trailway met certain requirements. In addition, the bill would add new members to the Michigan Trailways Advisory Council; and redefine "trailway" to include a body of water capable of accommodating recreational watercraft.**

(Currently, "trailway" means a land corridor that features a broad trail capable of accommodating a variety of public recreation uses. "Michigan trailway" means a trailway designated by the Commission pursuant to Part 721.)

### Water Trailway Designation

Currently, the Act authorizes the Commission to designate a trailway as a Michigan trailway if it meets certain criteria, such as being on land owned or controlled by the State or a governmental agency, being available for designated recreation uses, and being a multiuse trail suitable for pedestrians, people with disabilities, and other users, as appropriate. Under the bill, the current criteria would apply to a land-based trailway.

The bill specifies that the Commission could not designate a water-based trailway as a Michigan trailway unless it met all of the requirements described below or would meet them when completed.

The maintenance of the trailway and its related facilities would have to meet generally accepted standards of public safety. The trailway also would have to meet appropriate standards for its designated recreational uses, and be available for designated recreational uses on a nondiscriminatory basis. Further, the trailway would have to be, or have potential to be, a segment of a statewide network of trailways, or attract a substantial share of its users from beyond the local area.

The trailway would have to be marked with an official Michigan trailway sign and logo at major access points. Where feasible, it would have to offer adequate support facilities for the public, including parking, sanitary facilities, and emergency telephones that were accessible to people with disabilities and were at reasonable frequency along the trailway.

Potential negative impacts of trailway development on owners or residents of adjacent property would have to be minimized through the adequate enforcement of trailway rules and regulations and other means considered appropriate by the Commission.

The trailway also would have to satisfy other conditions required by the Commission.

## Water Trailway Development & Maintenance

In developing and maintaining a water-based Michigan trailway, the Department of Natural Resources (DNR) would have to encourage and facilitate partnerships between the State and local organizations including local user groups, business and civic organizations, local units of government, and tourism promotion organizations.

### Advisory Council

Under the Act, the Michigan Trailways Advisory Council is created within the DNR and consists of the following members appointed by the Commission: one individual who is involved with the establishment or operation of a multiple use trailway; two individuals who represent Michigan trailways user groups; one local government official from a governmental agency in which a multiple use trailway is located; and one member of the general public. The bill would add to the advisory council one individual who was knowledgeable in the establishment and operation of water trails, and one individual representing the Department.

MCL 324.72101 et al.

Legislative Analyst: Nobuko Nagata

### **FISCAL IMPACT**

The bill would have an indeterminate impact on Department of Natural Resources expenditures. If water-based trailways were designated and the Department opted to operate and maintain the designated trailways, Department expenditures for operation, maintenance, and enforcement would increase. The balance in the Michigan Trailways Fund is approximately \$19,000. Fiscal year 2000-01 revenue to the Fund was less than \$1,000.

Fiscal Analyst: Pam Graham

S0102\415sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.