

Committee to Study Rail Trail Best Management Practices (HB311)
Minutes September 20, 2022 (approved)

Chair Gould called the meeting to order at 9:10 am

Members present: Reps. Linda Gould (chair), Suzanne Smith (clerk--by phone), Greg Hill, Sen. David Watters

Guests: Boyd Smith (NHRTC), Craig Rennie and Alexis Rudko (BOT Director and Asst. Director), Mike McCluskey (DES), Shelley Winters (DOT)

Minutes of April meeting were reviewed. A motion was made to accept and seconded. All members concurred.

Members reviewed the draft which Mr. Smith put together for the final report. He commented that items there are key areas of discussion which should be resolved in the report are:

Contamination

How trails can be shared among all users both compatible and incompatible uses.

Expansion of trails ? BMPs?

Senator Watters suggested an addition to report to read, "Rail trail development and use should employ BMPS which include non-motorized and motorized use. " And include parking and accommodations. (?)

He also stated we need to include expansion of trails.

And, he affirmed that we need parking for the disabled at each trail parking area.

Director Rennie commented that there are motorized devices which are becoming more popular. For example, electric bikes which go 25+ mph, electric scooters and electric snowmobile type units. Ms. Winters recommended that the committee cite the federal statute which reads, "Generally motorized use of rail trails purchased with Federal Highway Administration (FHWA) funds is limited in accordance with Title 23 USC Chapter 2 Section 217 "Bicycle Transportation & Pedestrian Walkways", Subsection (h) "Use of Motorized Vehicles.." In NH RSA 259:6 which defines bicycles, e-bikes are included in that definition.

Discussion of Trail Surfaces. any rail trails are along rivers and when flooded – contaminants are going into the surface water.

Stabilize rail trails to prevent runoff going into surface water.

Discussion of mix of surface materials

Suggestion to make a bullet BMP: Use a surface which is firm and stable which will accommodate all planned users.

Mr. Rennie said that pressed gravel helps a lot with dust. But it is difficult to get because of high demand. Most users would like this.

As rail trails are expanded (more miles), more users will be on the trails.

Discussion about challenges of OHRVs and bicycles using same trail at same time.

Mr. Rennie has heard bicyclists can be a big problem b/c don't show respect, pull over for walkers or other users including OHRVs.

Trail etiquette is important but you can't really legislate it and it doesn't belong in BMPs as it is a user issue. If we did make a law, who would enforce it? Maybe education through signs along trail or at entrances.

Suggestions for funding: Iron ranger at entrance locations to collect voluntary fees. Process similar to Hike Safe card. A portion of e-bike fees to go towards rail trail maintenance is not possible because trails receiving federal funds cannot earmark part of registration/fees per federal law.

NHRTC suggests a voluntary fee for non-motorized users

State funding (general fund)

Mr. McCluskey – contaminants-DES

They can make recommendation but cannot enforce. He has some language...

Discussion of contamination and who decides if site is tested.

Discussion about future trails and knowing whether or not they are contaminated.

Rep. Hill asked a question about "social equity" being in the NH Rail Trail plan points. It is. The Federal government has that as part of its goals.

For report, we need to make corrections to flow chart.

Mr. Smith will amend report taking into consideration comments from members and stakeholders.

The meeting was adjourned at 11:00 am.

Respectfully submitted,

Rep. Suzanne Smith, Clerk

Assistance from Reps. Greg Hill and Linda Gould