

Agenda Item Report



Winnebago County
The Wave of the Future

DATE: July 26, 2022
TO: PARKS AND RECREATION COMMITTEE
FROM: DIRECTOR OF PARKS AND EXPO CENTER
RE: ACCESS TO LAKE BUTTE DES MORTS WITHIN THE TOWN OF OSHKOSH

General Description:

The Town of Oshkosh is requesting the Parks Department to allow for ATV use from November – March along the WIOUWASH Trail from West Wind Road to the first bridge for access to Lake Butte des Morts.

Action Requested:

Staff are looking for direction from the Parks and Recreation Committee. A policy decision needs to be made in regards to Chapter 19 and if ATVs will be allowed on the WIOUWASH Trail. The Parks and Recreation Committee also needs to decide if any funds will be allocated towards this project.

Background:

In August of 2021, the Town of Oshkosh Chairman, Jim Erdman attended a Parks and Recreation Committee meeting and requested the Winnebago County Parks Department to consider allowing ATVs on the WIOUWASH Trail during the winter months for the purpose of access Lake Butte des Morts. At the present moment, users park on Edgewood Lane on the north side of Lake Butte des Morts within the Town of Oshkosh. They utilize this fire lane/boat landing to drive their ATV onto the lake. The users then park their truck and trailer on the road where parking is allowed.

In 2021, The Town of Oshkosh installed no parking signs on the north and south side of the road. The map below shows where no parking signs are installed. The red line indicates no parking on both sides of the road. The yellow line indicates no parking on the south side of the road. Parking is allowed on the north side of Edgewood Lane within the yellow area. The north side of the road is within the City of Oshkosh.



A diagram has been included below showing the portion of the WIOUWASH Trail that is being requested for ATV use.



If the Parks Department was to allow ATVs along the WIOUWASH Trail, the following items need to be considered.

Policy Discussion/Items to Consider

- **DNR State Trail Designation** - The WIOUWASH Trail within Winnebago County is designated as a state trail. The County would most likely be required to go through the WI DNR master plan process if a change of use for the trail would be proposed.
- **Maintenance** – If the trail is utilized during a time period where there is not a lot of frost in the ground, we will experience damage to the trail. The Parks Department does not have the ability currently to check the trail on a daily basis. The snowmobile alliance assists the department in closing and opening the snowmobile trails in the winter. Also, the Parks Department does not currently own a piece of equipment designed for properly maintaining trails. Outagamie County purchased a piece of equipment in 2021 for \$20,000. If ATVs are allowed on the trail in the winter time, this would require extra maintenance in the spring of each year to remove ruts and safety hazards within the trail surface area. Also, I have a concern in regards to staff. Currently, we have over 1000 acres and over 20 miles of trail in the county that is managed by only 5 full-time park caretakers.

- **Parking** – The current parking lot at Westwind is not large enough to park the number of cars that have been parking on Edgewood Lane. The parking lot was not designed for trucks with trailers. There are properties located to the north that could provide extra parking. However, they are presently owned by the WI DOT and they have wetland indicators. A wetland delineation would need to be performed on those properties. A diagram of the current parking situation at the Westwind Trail Head has been included below.

Westwind Trail Head



- **Cost** – At this time, the Parks Department does not have any improvements to the WIOUWASH Trail parking area included within the Capital Improvement Plan. Also, any equipment or maintenance cost needs to be considered as well. In 2023, a 0% levy increase is being proposed. With the rising cost of utilities, fuel, and general maintenance consumables and equipment, the Parks Department is already looking for ways to be leaner and may have to cut various items within the budget. The cost to design and construct a parking lot and ramp into the water would need to be fundraised for. Also, the cost of maintenance and any additional equipment needs to be considered.
- **MOA** – A MOA between the Town of Oshkosh and Winnebago County would need to be drafted. This MOA would need to spell out the responsibilities of both the Town and the County.
- **Permitting** – If the County is to place an access to Lake Butte des Morts along the Wiouwash Trail, we would need to go through the Chapter 30 permitting process with the WI DNR. These permits take a minimum of 60 days once they are submitted.
- **Enforcement** – Will this be enforceable by the Sheriffs department? What is stopping a user from continuing to ride down the trail once we allow this short section. A bollard or gate would need to be considered within this project at the bridge.

- **Continuity** – Outagamie County and Waupaca County do not allow ATV's on the Wiouwash Trail. This is a shared trail between multiple counties so this must be a consideration.
- **Chapter 19** – The current County Code - Chapter 19 indicates that no vehicle use of any kind is allowed on the trail other than emergency, police, or County maintenance vehicles. Chapter 19 would need to be modified by the Parks and Recreation Committee and County Board to allow ATVs on the WIOUWASH Trail.
- **User Conflicts** – At the present time the trail is frequented by bikers, fat tire bikers, walkers, runners, cross country skiers, snow shoeing, and horseback riders. We need to put into consideration how the additional use of the trail will affect the other users.
- **Corporation Counsel Review** – We will want Corporation Counsel to review our any proposal from the committee.