

Fairbanks North Star Borough
Comprehensive Trail Plan
Background Information

REVIEW OF THE EXISTING RECREATIONAL TRAIL PROGRAM

July 1983

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I. Summary

Trail oriented recreation has evolved in interior Alaska as an activity which embodies the history and spirit of the "Alaskan Lifestyle" and which is well suited to the arctic environment. Paths which were originally cleared for mining access, logging roads, trap lines or gold rush transportation routes have become natural corridors for trail recreation. The Alaska Public Survey, a multi-agency comprehensive analysis of recreation, community attitudes and related issues conducted in 1979, showed that trail related activities are the favorite outdoor recreation activity of residents of interior Alaska. In fact, trail recreation was chosen by 23% of the respondents, nearly twice as often as tent camping, the second most frequent choice at 13%. Support for a recreational trail system within the Fairbanks North Star Borough was more recently demonstrated in the Borough's Parks and Recreation Comprehensive Plan Survey where 66% of the respondents favored the Borough continuing its recreational trail program and in the Comprehensive Land Use Plan public workshops held during fall 1982.

As the population of the Fairbanks area is increasing, trail recreation opportunities are losing to the competition of other land uses. Land formerly within the public domain has gone into private ownership causing recreation on the land to change from an appropriate activity to "trespass" status. As existing recreational trails have been closed to public use the demand for legal protection of trails has greatly increased. Because of this increasing public demand the Fairbanks North Star Borough initiated a recreational trail program in 1979. The intent of the program was to identify and protect portions of the existing trail system before costs became too great. The Borough Assembly identified its support for establishing a trail system by adopting a recreational trail policy and establishing the Trails Advisory Commission. Since that time the Borough has devoted substantial efforts to initiate this program designed to preserve an essential component of local recreation opportunities.

However, in the approximately four years since the trails program was initiated, its success has been very limited. The only trails opened to the

public under the recreational trail program have been bicycle paths. The three principle reasons why other trails have not been dedicated to public use are:

1. The most critical problem has been the lack of a Comprehensive Trail Plan to identify which trails are intended for permanent protection and what the specific intent and scope of the trail program is. The existing Five Year Trail Plan is outdated and does not contain sufficient information to guide the trail program.
2. The second critical problem is the lack of staffing to assist the Trails Advisory Commission and Division of Community Planning in duties pertaining to trails assigned to them by ordinances and resolutions of the Assembly.
3. The third major problem is the inconsistencies and lack of acquisition authority granted by the Assembly in their trail policy.

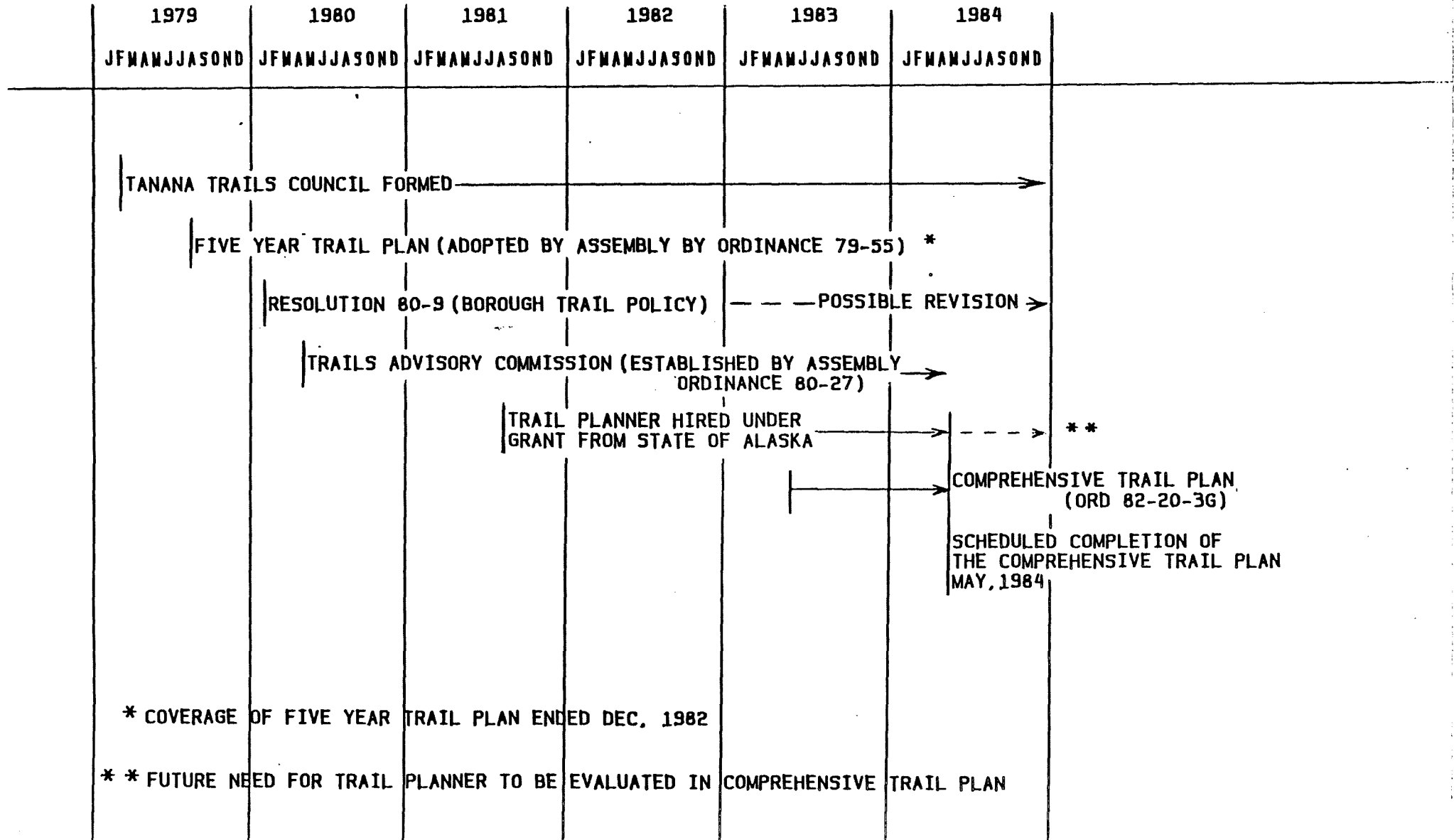
Fairbanks still has the opportunity to retain and develop one of the finest recreational trail systems in the entire country but the Borough must act quickly because existing trails are being lost under the current program and costs of acquiring rights-of-way and constructing trails are increasing.

In order for the recreational trail program to proceed in an organized manner it is absolutely essential that a Comprehensive Trail Plan be developed. This plan will serve as a guide in selecting trail acquisition priorities and will help to identify potential funding sources and clarify legal and maintenance questions involving trails. Once the Comprehensive Trail Plan is completed it will help provide guidelines to enable the Trails Advisory Commission to become more effective in making recommendations to guide the trail program.

The following paper describes the history and status of the trail program prior to initiation of the Comprehensive Trail Plan in much greater detail. It explains some of the past problems with the Borough trail program and indicates areas where changes may be needed.

FIGURE 1

FLOW CHART OF THE RECREATIONAL TRAIL PROGRAM



II. Initiation of the Trail Program

A. Benefits of Trails

Trail recreation is an important pastime the entire year around for residents of the Fairbanks North Star Borough. Trails can be used for a variety of activities and seasons ranging from cross country skiing and dog mushing in winter to hiking and horseback riding in the warmer months. Because trails can be extremely versatile in their use, and their construction and maintenance costs are relatively low, they can be very cost effective public recreation investments. This is especially true in Fairbanks, where pre-existing trails can almost entirely negate construction costs and major efforts can be focused on right-of-way acquisition.

Even in Alaska, where many wide open spaces still exist, trail recreation opportunities close to residential areas can greatly reduce the cost of recreation. As fuel prices continue to rise, the importance of recreating close to ones residence will increase proportionately. A well planned trail network reaching close to homes and businesses can also be used as an alternate transportation method. Open spaces retained as trail corridors provide psychological benefits valuable to trail users and adjacent land-owners alike. The benefits of an uncrowded atmosphere will become increasingly important as the City of Fairbanks continues to expand. This is especially critical in the Fairbanks area where there are currently no large open space reserves such as the Chugach National Forest or Chugach State Park which serve residents of Anchorage. Fairbanks has no geographic barriers to urban sprawl.

Establishing a permanent trail system around Fairbanks will provide many benefits for the community besides recreation. It will help promote economic development through increased tourism and by making the Fairbanks North Star Borough a more attractive place for business to locate. Neighborhood trails provide training grounds for local athletes which can sometimes result in national recognition for the Fairbanks community. A recent example is the publicity Fairbanks received as a

result of Mara Rabinowitz's performance at the Junior Olympics in Lake Placid, New York during the winter of 1981-82.

B. Historical Perspective

Trails within the Fairbanks North Star Borough originated from a wide variety of circumstances ranging from historical indian trade routes to paths cleared when gold dredges were moved from one creek to another. More recently, routes have been cut specifically for skiing, dog mushing or other trail recreation activities.

Because the majority of these trails were originally located on public lands no legal rights-of-way were required. As land has been transferred into private ownership by the federal, state and borough governments many of these trails have been closed to public recreation. As more trails within the Borough became closed to public recreation, a group of concerned trail users formed the Tanana Trails Council. The goal of the Council was to work with government agencies and the public to preserve some of the existing trail system. In response to the increasing public demand, in 1979 the Fairbanks North Star Borough Division of Community Planning prepared a Five Year Trail Plan which was adopted by ordinance by the Borough Assembly as part of the Borough's Comprehensive Development Plan. The Five Year Trail Plan was followed by the Assembly adopting a resolution establishing the Borough trail policy and an ordinance establishing the Trails Advisory Commission. Several members of the Tanana Trails Council were chosen to be on the Trails Advisory Commission. In September 1981 a Trails Planner was hired on a temporary basis under a grant from the State of Alaska. On May 2, 1983 the Borough Assembly adopted Ordinance 82-20-3G which appropriated funds to develop a Comprehensive Trail Plan. (See Figure 1.)

The two ordinances and the resolution adopted by the Assembly between 1979 and 1980 firmly established the Borough Assembly's intent to respond to a public need by establishing a recreational trail program. The appropriation of funds for the Comprehensive Trail Plan in May 1983 re-affirmed the Assembly's support for the trail program.

Although the Comprehensive Trail Plan Program has now been funded, the Assembly previously rejected two other trail program proposals. In the spring of 1982 when it became apparent that trails were continuing to be lost under the existing authority the Division of Community Planning and Trails Advisory Commission proposed an ordinance to require easements for priority trails in new subdivisions. After several public hearings and extensive revision the ordinance was recommended for approval by the Platting Board. The ordinance was then unanimously approved by the Planning Commission. When brought before the Assembly all parts of the ordinance pertaining to trails were deleted. At that time, the Assembly indicated there was a need to clarify which trails would be covered by the ordinance and what the public involvement process in determining priority trails would be. Shortly thereafter the Assembly deleted further funding for the Trail Planner position in the Division of Community Planning's FY 82/83 budget. These two actions of the Assembly demonstrated there was a lack of understanding among the Assembly of the problems of the trail program and the Division of Community Planning prepared a paper to better explain the existing situation. The paper, entitled "Requirements for Successful Implementation of the Fairbanks North Star Borough Recreational Trail Program", strongly recommended preparation of a Comprehensive Trail Plan to provide the trail program with goals, workable policies and direction. This paper in combination with a substantial show of public support for trails during the Parks and Recreation Comprehensive Plan process, the Comprehensive Land Use Plan public meetings and the Federal Shared Revenue Fund hearings resulted in passage of Ordinance 82-20-3G which is now funding the Comprehensive Trail Plan Program.

The recreational trail program was put in the jurisdiction of the Division of Community Planning because the initial Five Year Trail Plan was prepared in the Division of Community Planning a great deal of the work involves review of subdivisions through the platting process, and establishing guidelines and procedures for the trail program is an appropriate planning activity. However, having the trail program separated from the Division of Parks and Recreation has led to a neglect of the recreational trail system when funding is determined for the Borough's overall recreational needs.

The draft Parks and Recreation Comprehensive Plan has recommended that planning of trails be continued in the Division of Community Planning but the trail program should eventually be placed within the Division of Parks and Recreation.

C. Existing Trail Facilities

One of the first priorities of the Borough Trails Advisory Commission was to obtain an inventory of routes within the Borough used for recreational purposes. The Commission established an inventory committee which prepared a list and set of maps of the initial trail inventory (see Figure 2). Although over 50 trails currently used for skiing, dog mushing, horseback riding, snowmobiling, motorbiking, bicycling, hiking and jogging were identified, none of the trails (with the exception of bike paths) have complete legal right-of-way.

These form the de-facto recreational trail system now present within the Borough and they are used by persons familiar with their locations and best uses. The emphasis of the trail program is to keep a portion of these trails open to a wide variety of trail recreation types. However, in certain cases trails must be designated for specific uses or closed to certain uses. Motorized trails are not considered appropriate in dense residential neighborhoods but it is still very important to provide for motorized trail recreation needs. Identifying and protecting the most outstanding trails in this de-facto trail network is the main purpose of the trail program. Without complete legal rights-of-way the Borough cannot dedicate these trails to public use.

Since the Fairbanks North Star Borough initiated the recreational trail program, the only trails opened to the public have been bicycle paths. The principle reasons for this are that bike paths and their planning can be funded as highway projects, and a bike path can be located within a highway right-of-way.

Department of Transportation has major involvement in construction and maintenance of bicycle paths. The role of these other agencies in providing trail recreation opportunities will be dealt with in much greater detail in the Trail Inventory and Jurisdictional papers.

Several trail projects within the recreational trail program are in progress at this time. The Skarland Ski Trail and Jeff Studdert Dog Musers Trail have had extensive survey work completed and some rights-of-way obtained. The right-of-way for the Skarland Ski Trail is not almost complete with only two parcels remaining which do not have legal access. An application for a right-of-way for the Circle-Fairbanks Trail has been filed with the Alaska Division of Lands. Other trail projects which were included in the original Five Year Trail Plan or have been authorized, in effect, by the Assembly approving the acceptance of grants or expenditure of funds may be completed at some time in the future. However, under the existing trail program there is no assurance that any of the trails will ever be dedicated to the public.

The Borough has opened a system of ski trails to the public at Birch Hill and recently dedicated land at Two Rivers and Salcha principally for trail recreation. These areas function as ski parks rather than an interconnected system of trails as proposed in the recreational trail program. These ski parks require a major financial commitment from the Borough to dedicate land and sometimes to construct the trails. This type of park is designed to serve a large region where people drive to get to the park to recreate rather than use the trail to commute and recreate within their own neighborhood. These trails principally serve the cross country skiing component of the trail recreating public. Other trail users such as snow machiner's and horseback riders still lack public trail facilities.

Other State and Federal agencies which operate within the Borough also provide some trail recreation opportunities. The Bureau of Land Management manages the Pinnell Mountain Trail and the White Mountain Summer and Winter Trails which all have trailheads just outside the Borough boundaries. The Alaska Division of Parks has several miles of hiking trails in the Chena River State Recreation Area. The Alaska Department of Fish and Game and the Borough School District manage short nature trails. The Alaska Division of Lands has a major role in determining needs for trail and greenbelt corridors in State land disposals as well as delineating trail rights-of-way on State lands. The Alaska

III. Analysis of the Present Trail Program

A. Five Year Recreational Trail Plan

The Five Year Recreational Trail Plan, adopted by the Borough Assembly by Ordinance No. 79-55 (see appendix B) as part of the Borough Comprehensive Development Plan was an estimated work schedule for several specific trail projects. The trail plan outlined trail priorities by the fiscal year and its coverage ended during the 1981-82 year (See appendix A). The primary purpose of the plan was to provide the Borough with the necessary requirements to obtain funding from the State under the Alaska Trails and Footpaths Grant Program.

Two trail projects in the Five Year Trail Plan, the Skarland Ski Trail and Jeff Studdert Dog Musers Trail, were funded under the Alaska Trails and Footpaths Grant Program, and have had a substantial amount of work completed. The North Pole Bike Trail Project which was included in the Five Year Plan was completed with the use of Local Service Roads and Trails funds. The remaining four projects listed in the plan have never been actively pursued, largely because of a lack of funding. While the trails are still logical candidates to consider for public dedication, the Five Year Trail Plan does not include accurate descriptions or maps of their locations. One of the trails, the old Tanana Valley Railroad bed, is easily traced on a map. Another is listed in the plan as "Ester Community Trails". There are many trails around Ester and it is unclear exactly which trails are included in the plan.

The Five Year Recreational Trail Plan was useful in helping to initiate the trail program and obtain funding but it was not designed or intended to be used as a comprehensive trail plan. A great deal of confusion exists among the public, both land developers and trail users, over which trails within the Borough are intended for public dedication and how they will be managed once dedicated.

An updated and truly "comprehensive" trail plan will greatly help to clear up some of the misconceptions on trail issues.

B. Recreational Trail Policy

The Borough Assembly adopted a policy to guide the establishment and management of a recreational trail system with Resolution No. 80-9 on February 28, 1980 (see Appendix B). The resolution identified several reasons why the Borough should work to establish a trail system. The reasons are:

1. It is in the best public interest to establish and manage a system of recreation trails.
2. Changing land ownership is reducing opportunities for establishing and maintaining a recreation trail system at reasonable costs.
3. Portions of the existing trail network are being lost for lack of a clear policy and an aggressive acquisition program.
4. The Fairbanks North Star Borough Assembly has adopted a Five Year Trail Plan as an element of the Comprehensive Plan.

While the resolution includes adoption of the Five Year Trail Plan as part of the Comprehensive Plan as a reason for establishing a trail system, at the same time, the resolution fails to recognize that the Five Year Trail Plan is not a comprehensive trail plan, and there is a lack of organized planning to guide the trail program. The resolution goes on to state that, "a Comprehensive Trail Plan shall be actively implemented within the limits of available funds and manpower." The passage of Ordinance 82-20-3G in May, 1983 was the first action taken by the Assembly toward development of a Comprehensive Trail Plan. A detailed plan has been lacking for several years and the trail program has suffered as a result.

While the resolution incorporates such language as "lack of a clear policy and aggressive acquisition program" and "a Comprehensive Trail Plan shall be actively implemented" (emphasis added), the policy itself is very passive and contains provisions which make public dedication of trails extremely difficult. Some of the problems and contradictions of a literal interpretation of the existing trail policy are described in the following narrative. Please refer to the Borough Trail Policy in Appendix B (Resolution 80-9).

Section 1a of the recreational trail policy states, "The Borough shall acquire right-of-way easements only and not develop or maintain recreational trails. Section 2d which deals with easement policy states that when easements are acquired, "trail alignment shall be adjusted...in order to maintain property use and development rights". While alignment adjustment is a desirable mechanism in order to retain the trail and assure minimal disturbance of subdivision plans, it essentially requires developing new sections of trail. This contradicts Section 1a. which prohibits development of new trails. Trail reconstruction can also require substantial effort and equipment.

Section 1b of the policy states that "easement acquisition funds shall be limited to sources other than property tax and sales tax revenues, unless a services area has been established for this specific purpose." Because Service Areas have not been established for trails, the effect of the policy is to require outside sources of funds such as state or federal grants, to purchase trail easements for Borough residents, with no local financial support provided.

Section 1c of the policy states that "the Borough shall do nothing to incur liability associated with trails by developing and maintaining rights-of-way". This implies that liability will be incurred whenever a trail is developed or maintained. If a trail is properly constructed to safe standards, the Borough is no more likely to incur liability than with the construction of other recreational facilities or the dedication and construction of a public street as required during subdivision.

Section 1d of the trails policy states that Eminent Domain powers shall not be utilized for the acquisition of recreational trail easements. This policy is agreed upon by trail users and land developers alike. It should be noted that Eminent Domain is a distinctly different concept and action than that which would require trail easements on land being subdivided. Eminent Domain is a forced taking of land for a price for a public good while a requirement of trail easements in subdivisions is designed to help provide a reserve of open space for future owners of the lots. The subdivider of the land is required to establish trail easements in exchange for privilege of dividing a parcel of land to derive a profit in the same manner he is required to dedicate access and provide utility easements. When a person subdivides land into smaller lots there is increased pressure on the resources of the community and the subdivider helps to alleviate the pressure by reserving some recreational space.

Section 2 lays a sound foundation for an easement acquisition policy by allowing flexibility in location, time of year, and type of use of trail easements. The guidelines for selecting easement acquisition priorities are well designed in Section 2e and may also be useable as a part of the criteria for evaluating a trail for inclusion in the Comprehensive Trail Plan.

Section 3a of the trail policy describes the three parts which "shall comprise the Comprehensive Trail Plan". These requirements have no relation to the Five Year Trail Plan previously adopted by the Assembly. Even though the Five Year Trail Plan does not meet the Assembly's requirements for a Comprehensive Trail Plan (as set forth in the policy) it has been considered the Borough's Comprehensive Trail Plan since it was written.

Section 3a also states that "the Borough can guarantee legal public access only to those trails in Part III of the Comprehensive Trail Plan".

With no Comprehensive Trail Plan ever written which included such a "Part III" opening trails for public use has been an impossibility within the

parameters of the trail policy. The criteria for Part III trails listed in the policy includes trails having legal public access reserved by means of an easement, on site survey and recorded plat. Completing this entire process for a trail can be extremely expensive and may not always be necessary. Trails can often be adequately documented by means such as aerial survey, legal descriptions and signed agreements.

The result of the above policy requirements is that the Borough cannot open recreational trails to the public. Portions of trails may become legally platted in a manner qualifying them under the criteria of Part III but establishing entire trails becomes extremely difficult. In most instances unless all of a trail exists none of the trail is of value.

Section 3b of the policy states that "the Planning Department shall maintain the official trail records..." The Division of Community Planning has never been provided with staff or funding to accomplish this task until the passage of Ordinance 82-20-3G.

Section 4b of the trail policy states that "All federal, state, borough and private subdivisions and waivers of subdivisions presented to the Planning Commission for review and approval shall be assessed for trail system needs." There is no mention of who will accomplish this task, however, if trails were well documented it could become a Platting review function. Section 4b. goes on to say that "voluntary easements will be encouraged for the public good, but failure to grant such easements shall not prejudice the developers' right for approval." Recent experience indicates that this procedure will not result in dedicated trails with complete rights-of-way. Developers are not necessarily in business to further the "public good." Some developers are interested only in maximizing profits. They contend, whether validly or not, that trail easements may scare off potential customers or at least that the easement should be paid for.

If the Recreational Trail Policy is to be implemented on a practical basis, the policy must be revised to eliminate contradictions and there must be some continued Division of Community Planning support to accomplish duties assigned

by the policy. The amount of staff required is minimal in comparison to the benefits derived by the community.

Beyond these two issues the policy itself must provide some kind of realistic authority or incentives to acquire easements or dedications for trails included in the Comprehensive Trail Plan.

The policy must allow rerouting sections of trails (i.e. rerouting trails within subdivisions to minimize disturbance of lot design) and incorporate wording which does not automatically assume liability will be incurred if portions of trails are constructed.

C. Trails Advisory Commission

From its inception the Trails Advisory Commission has had a difficult time operating with no Division of Community Planning staff support. Members of the Commission are dedicated, hardworking volunteers, but there are limitations on the amount and type of work they can accomplish. The Commission cannot review every subdivision, waiver of subdivision, and vacation of easement brought before the Platting Board. The Commissioners cannot always act immediately if the need dictates and it can be hard for them to deal with state and federal agencies in a consistent manner. They have difficulties analyzing detailed legal situations dealing with rights-of-way.

The Commission has reacted to trail crisis situations as they occur, rather than planning ahead in an organized manner. The tendency has been toward protecting a trail when it is threatened rather than identifying priority trails and actively seeking to protect them. This has contributed to an uncertainty among the public about which trails the Borough is seeking to protect. In addition, when the Commission seeks immediate solutions to a problem situation, it is difficult to insure these solutions will be consistent with the Borough Trail Policy.

A second problem the Trails Advisory Commission has experienced is the lack of an established procedure by which the Commission can communicate its findings and recommendations to the Borough Assembly. When resolutions are adopted and sent to the Assembly, the Trails Commission never receives a response, nor any indication that the material has been read. The Assembly makes no effort to support the Trails Advisory Commission's Resolutions. An example of the Assembly ignoring a resolution of the Trails Advisory Commission is the Commission's Resolution 80-3. This resolution recognized the critical need for a Division of Community Planning staff member to serve as a liason with the Commission and other agencies. This position was not funded by the Assembly. A second example is Resolution 82-2 which endorsed the trail and utility easement ordinance. The trail easement portion was deleted from the ordinance by the Assembly after approval was recommended by the Platting Board and Planning Commission.

The result of the Assembly's lack of response on trail issues is that the public is deceived by thinking that some action will follow if they bring their concerns before the Trails Advisory Commission. The Assembly has also developed a false sense of the trail system's well being, because the public is not appearing before them but in front of the Trails Advisory Commission. More recently, as a result of the Parks and Recreation Comprehensive Plan and the Comprehensive Land Use Plan, the Assembly has gained a greater awareness of the communities' concern for trails. This better understanding has, in turn, been reflected by approval of funding for the Comprehensive Trail Plan Program.

Once funding is received it is difficult for the Trails Advisory Commission to monitor the projects to insure they are completed in an efficient manner which is compatible with the trail use. In the past, with no Division of Community Planning staff to guide the projects and administer the funds, many trail projects have been turned over to the Borough Division of Engineering or the State

Department of Transportation and Public Facilities. This makes it difficult for the Division of Community Planning to maintain the official trail records as required under the Borough Trail Policy. While these other divisions or agencies administer the projects as efficiently as possible they are not geared or budgeted for trail projects, thus they become low priorities. At times this can result in a poor utilization of what limited funds are available for trail projects.

In order to be more effect