

Rail-Trail Development: A Best Practices Report

ANALYZING RAIL-TRAIL BEST PRACTICES TO INFORM THE DEVELOPMENT
OF THE PALOUSE-CASCADES TRAIL

SCJ ALLIANCE | 429 E. Sprague Spokane, WA 99202

Rail-Trails Best Practices Report

Purpose of this Report

This report focuses on the issues surrounding the proposed development of the Palouse to Cascades Rail-Trail. A discussion of these issues is presented through an analysis of rail-trail development with a focus on addressing the specific issues that have been expressed in the process of moving forward with the Palouse to Cascades Trail. Rail-trail examples where similar issues have been addressed are explored, and this analysis leads to some general findings which are used to provide recommendations for addressing the issues that have come up in the discussion surrounding the Palouse to Cascades Trail.



Figure 1: A rail-trail trestle. Photo Source: 26 Inch Slicks Blog

About the Palouse to Cascades Rail-Trail Development

The Palouse to Cascades Trail (formerly the Iron Horse/John Wayne Pioneer Trail) is a 285-mile long rail trail spanning eastern and central Washington State from the Idaho border to the Cascade Mountains (See Figure 2).

Most of the route utilizes former rail bed, acquired by the state in 1980. Since then, Washington State Parks has developed most of the trail west of the Columbia River, but east of the Columbia the trail remains largely undeveloped. Surface conditions are typically leftover rail ballast, with occasional gaps and detours associated with missing, damaged or unsafe trestles, or in a few cases, private property crossings.¹ Eyeing the success of similar trails – including that of the Trail of the Coeur d’Alenes from Plummer Idaho to the Montana border– the State of Washington is seeking to upgrade eastern portions of the trail including surfacing and improved access.

Particularly in Adams and portions of Whitman County, the effort has spurred controversy, with some farmers and adjacent property owners concerned about trespass, noxious weeds, and vandalism. On the other hand, many of the small towns and cities located along the route support the trail for its perceived economic benefits. The Palouse to Cascades Trail Coalition, a volunteer organization devoted to advocating for the trail, also supports the completion of the trail.²

¹ <https://parks.state.wa.us/521/Palouse-to-Cascades>

² <https://palousetocascadestrail.org/>

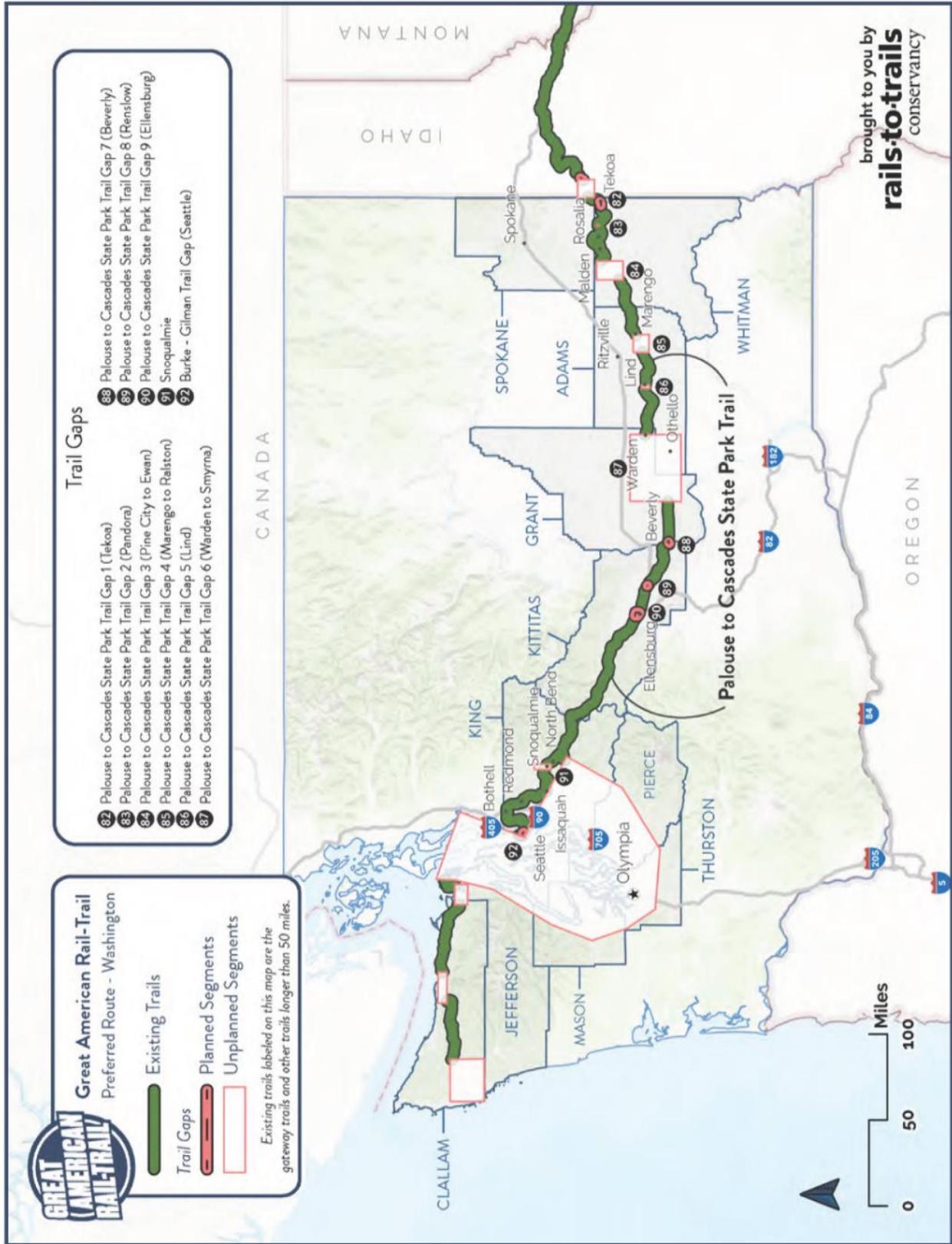


Figure 2: Map of Palouse to Cascades Trail. Source: <https://www.railstotrails.org/greatamericanrailtrail/route/>

Rail-Trail Issues Specific to the Palouse to Cascades Trail

Initial reactions to rail trail development may sometimes be negative due to valid concerns about increased development and use of recreational trails. Rail-trail conversions must address these issues and recognize landowner concerns. Lack of information and unanswered concerns may lead to opposition, which can stem from confusion related to property rights and concerns that property values will drop, agricultural activities will be disturbed, and crime and liability will increase.³ Some landowners have experienced these issues firsthand and believe that trail development will bring more of these issues their way.

In addition to landowner's concerns, other organizations have pointed out specific issues with rail-trails that have led to official opposition. The American Farm Bureau Federation stated that they "oppose the use of road tax monies to fund rails-to-trails initiatives while there is a backlog of maintenance needed on existing roads and bridges"⁴. The National Association of Reversionary Property Owners (NARPO) also opposes rail-trail projects, claiming that adjacent landowner rights have been violated by the National Trails System Act, allowing for the preservation of railroad corridors through railbanking⁵. See Appendix B for more information about railbanking.

Regardless of the situation, any efforts to develop rail-trail should attempt to address these concerns. If they can be addressed sufficiently in the development process, then it will be less likely that landowners will experience negative impacts or that opposition will continue. When specific measures are taken to mitigate the risk of these issues, trails often experience much fewer negative impacts.

Adjacent landowners of the Palouse to Cascades Trail have expressed similar concerns about trail development near their property. Some landowners have experienced issues with trespassing, illegal dumping, and vandalism along existing sections of the trail. Additionally, some are concerned that trail development will interfere with agricultural activities that use or cross the trail.

The societal benefits of rail-trails should also be recognized. Completion of the Palouse to Cascades Trail is recognized as a commitment of the State of Washington, which means that the state believes this trail will be to the public's benefit. Trail developments have been shown to have such benefits as economic development, improved public health, and increased opportunities for recreation and enjoyment.

Ideally, a balance can be found in the trail development process by adequately addressing the issues of those concerned about the development, but also capitalizing on the benefits of recreational trails. The following sections explore both these issues by taking a look at some examples of trails where similar issues have come up.

³ <https://www.railstotrails.org/resourcehandler.ashx?id=3499>

⁴ Farm Bureau Policies for 2019 <https://www.idahofb.org/uploads/2019%20AFBF%20Policy%20Book.pdf>

⁵ <https://narpo.us/row.htm>

Different Outlooks

Highlighted below are two organizations that have different opinions on rail-trail development. The Rails to Trails Conservancy is a proponent for rail-trails, while the National Association of Reversionary Property Owners is an opponent of them. Both associations provide valuable insight into the concerns and benefits surrounding rail-trails and both have had an impact on rail-trail developments throughout the U.S.

The Rails-to-Trails Conservancy (RTC)

RTC is a nonprofit that aims to help create a nationwide network of trails from former rail lines. RTC advocates for and assists communities seeking to develop and complete rail-trails, emphasizing the public value of rail-trails. They provide a large range of research on the impact and benefits of rail-trails.

RTC has responded to rail-trail criticism with claims that unused, overgrown and isolated railroad corridors are far more likely to attract vandalism, graffiti, and dumping than a well-used and maintained trail with clear rules and regulations governing the use of the corridor.

RTC claims that farmer opposition stems from fears of crime and liability without recognizing the many potential benefits for farmers such as habitat preservation, local economic development, and low-impact access to the countryside.

They have also found that many former trail opponents become supporters once the trail is built, supporting the idea that trail concerns can be addressed and mitigated successfully.

Visit RTC's website for more info: <https://www.railstotrails.org/>

The National Association of Reversionary Property Owners (NARPO)

NARPO is a group of property owners who aim to educate landowners in the U.S. about ownership of railroad, utility, road, and other governmental types of Rights-of-way (ROW).

NARPO works with property owners to further the preservation of constitutional rights, citing the U.S. Supreme Court case *Preseault v. U.S.* which ruled that reversionary property owners will receive just compensation from the federal government for a rails to trails conversion.

NARPO is a vocal opponent of the Rails-to-Trails Conservancy (RTC) and the general effort to build rail-trails. They claim that RTC downplays crimes and other concerns that adjacent landowners face with rail-trail development. NARPO has provided legal assistance to landowners seeking guidance on property rights in rail-trail projects.

Visit NARPO's site for more info: <https://narpo.us/row.htm>

Understanding the Issues

Understanding that there are strong opinions on both sides of this issue helps to highlight that rail-trail development must be handled carefully and efforts must be taken to address the most important issues. These main issues, as identified through the planning process of the Palouse to Cascades Trail, are outlined in the following section.

Main Issues

Development plans for the Palouse to Cascades Trail has brought up a wide range of concerns. This section of the report explores these concerns and provides more information about their context. The following list represents the main issues that we have heard and why they may be cause for concern.

- **Vandalism/Littering:** Greater trail access to adjacent property owners and public trailheads may increase incidents involving vandalism, littering, and illegal dumping. Figure 3 shows that dumping on private property can be a problem along rail-trails, emphasizing the need for agency or volunteer management and maintenance.
- **Trespassing:** Trail users may trespass on private property, especially if trail signage isn't clear or if water, restroom, and camping facilities are not provided frequently enough.
- **Safety:** Trails may not be safe due to long stretches without facilities or cell phone service.
- **Noxious Weeds:** Farmers may be impacted by noxious weeds spreading along the trail if they are not maintained properly.
- **Agricultural Activity:** Farmers may be impacted if the trail is adjacent to or crosses grazing or harvesting land (Figure 4).
- **Trail Operations & Maintenance:** Long stretches of rail-trails through rural areas still need regular maintenance, which may be costly. Conversely, if trails are not maintained there may be a greater risk of accidents along the trail (Figure 5).

Next, we look to examples of trails that have addressed these issues in the past in order to see what strategies for doing so have worked or not.



Figure 3: Dumping and littering sometimes occur along the Palouse to Cascades Trail. Photo Source: Jay Allert



Figure 4: Rural Rail-Trails sometimes come into conflict with farming and agricultural activities. Photo Source: 26 Inch Slicks Blog

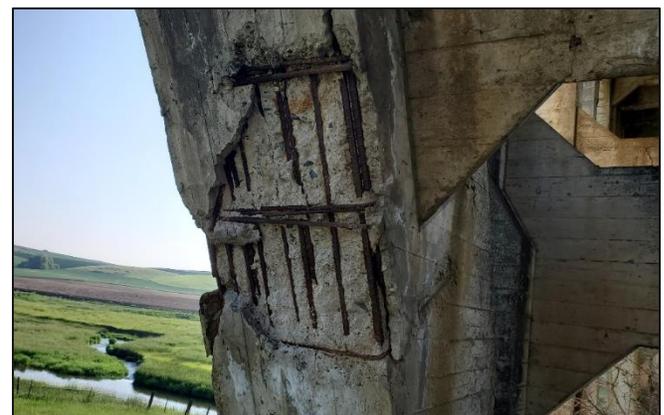


Figure 5: Rail-Trails need proper funding for maintenance. Photo Source: Art Swannack

Rural Trail Candidates for Best Practices Analysis

In order to make recommendations that address these main concerns we looked at other examples of rail-trails that have been developed in similar contexts. These trails are listed in Table 1. The criteria for trails with similar contexts were those that are in a rural setting, longer than just a few miles, and managed by a state agency.

Table 1: Rail-Trail Best Practices Candidates

Trail Name	State	Paved Length	Total Length	Owned By	More Info
The Cowboy Trail*	NE	192 miles	321 miles	Nebraska Game and Parks Commission	http://outdoornebraska.gov/cowboytrail/
The Trail of the Coeur d’Alenes	ID	73 miles	73 miles	The State of Idaho/CDA Tribe	https://friendsofcdatrails.org/trail-of-the-coeur-dalenes/
Raccoon River Valley Trail*	IA	89 miles	89 miles	Dallas County Conservation Board	https://raccoonrivervalleytrail.org/
Root River State Trail	MN	42 miles	42 miles	MN Dept of Natural Resources	http://www.rootrivertrail.org/
Chief Standing Bear Trail	NE/KS	22.5 miles	22.5 miles	Nebraska Trails Foundation & Ponca Tribe of NE	https://chiefstandingbeartrail.com/
George S. Mickelson Trail*	SD	109 miles	109 miles	SD Dept of Game, Fish, and Parks	https://www.mickelsontrailaffiliates.com/
Billings Bikeway & Trail Network	MT	26 miles	26 miles	City of Billings	https://www.railstotrails.org/our-work/trailnation/collaborative/billings/
D&H Rail-Trail	VT/NY	38 miles	38 miles	Vermont Dept of Natural Resources	https://fpr.vermont.gov/dh-rail-trail
Clarion-Little Toby Trail	PA	18 miles	18 miles	Tri-county Rails to Trails Association	http://www.tricountyrailstotrails.org/trails/clarion-little-toby-trail/

*Selected for in-depth case study

For the sake of studying best practices as they relate to the Palouse to Cascades Trail, the following trails were chosen for a more in-depth look: The Cowboy Trail, The Mickelson Trail, and the Raccoon River Valley Trail. The next section analyzes these trails in terms of the issues they faced, how they addressed those issues, and what we can learn from these trails that applies to development of the Palouse to Cascades Trail.

The Cowboy Trail

Trail Facts

Length: 321 miles (192 miles developed)

Surface Type: Compacted crushed limestone

Year Completed: 2009

Permit Fee: None

Types of activity allowed: All non-motorized use, including horseback riding.

Description

The Cowboy Trail runs through rural Nebraska. The trail was established in 1996 and additional sections have been paved over the years. There are communities located about every 10 to 15 miles along the trail, and some provide opportunities for camping and welcome travelers along their journey. The trail is owned and managed by the Nebraska Game and Parks Commission (NGPC).⁶



Figure 6: Map of The Cowboy Trail. Source: Nebraska Game and Parks Commission

Issues

NGPC addressed the following issues in the trail development process:

- **Crime/Safety:** Trail managers have found that touring trail users have been very respectful, but they have had issues with local users causing vandalism, though it hasn't been a huge problem.
- **Maintenance & Clean-up:** The annual maintenance budget is \$150k, which is the bare minimum necessary to keep up with maintenance including spraying for weeds. The trail has never been resurfaced in its 25-year life.
- **Trespass:** NGPC paid for fencing along the trail for first-time installation. The cost of replacement fencing is split 50/50 with the state and the landowner, where the state would pay for the materials and the landowner would pay for installation.
- **Compatibility with Agriculture:** NGPC allows trail crossings with a Crossing Lease. This lease provides a gap or gate in the trail fencing for farmers and landowners who may need to transport livestock or agricultural goods across the trail. However, the frequency of these crossings is limited in order to avoid too many trail disruptions.

⁶ <http://outdoornebraska.gov/cowboytrail/>

Addressing the Issues

There are only five bicycle counters along this trail, so usage data is limited, but estimates based on these counters and the NGPC show that the majority of trail use is found within 3 miles each way out of the towns along the trail, with the highest amount of this use occurring within 1.5 miles each way out of the towns. This demonstrates that rail-trails are valued by the towns found along the trail, and the most benefit from these trails will be found in these small towns. It also shows that fewer people go long distances on the trail, where much more people use the trail for short-term uses within and just outside of towns.

Along the more remote sections of the trail, certain strategies for trail management have worked for the Cowboy Trail. In the development of the Palouse to Cascades Trail, the state may consider some of these same strategies.

One of these strategies is to provide assistance to landowners who wish to fence or install access gates to control access to and from the trail near their property. Strategic placement of fencing and gates can provide better control of the trail so trespassing is less likely and farmers who need to use the trail for agricultural purposes can still have that access.

Adequate funding for maintenance is also essential to control for safety hazards and noxious weeds. According to trail managers at the Cowboy Trail, \$150K annually is the bare minimum for maintenance, and a large chunk of that goes to weed control.

The Cowboy Trail has addressed some similar concerns that have also come up in discussions about the Palouse to Cascades Trail. However, the Cowboy Trail has had little conflict in its history, and therefore major interventions for some of these main issues has not been necessary.

The Mickelson Trail

Trail Facts

Length: 109 miles

Surface Type: Crushed limestone and gravel

Year Completed: 1998

Permit Fee: \$4/Day or \$15/Year

Types of activity allowed: All non-motorized use & snowmobiles in the winter

Description

The George S. Mickelson Trail, named for the former governor of South Dakota who helped spearhead the project, follows the old Chicago, Burlington and Quincy Railroad through rural cattle country and the Black Hills National Forest. The last rail activity on this path was operated by Burlington Northern Railroad until 1986. The trail is now maintained by the South Dakota Department of Game, Fish, and Parks (SDGFP). It passes through southwestern South Dakota, consisting of 100 converted railroad bridges and 4 rock tunnels.

Landowners were wary that the trail would be mismanaged, but they have found that cyclists are very responsible and take care of the trail.

Issues

SDGFP addressed the following issues in the trail development process:

- **Crime/Safety:** There are 16 trailheads along the trail, but there are only vandalism issues at one of them. That one trailhead, unlike the others, is very accessible because it is right along a highway. Trail managers have found that the more accessible a trailhead is, the more likely it will be vandalized because it is accessible to anyone. Trailheads further off main roads don't have issues with vandalism. The trail also employs two people to patrol the trail with radios since much of the trail doesn't have cellphone service. The trail is closed from 30 minutes before dusk to 20 minutes before dawn for safety reasons, but people ultimately use the trail at their own risk.
- **Maintenance & Clean-up:** There are unfenced sections along the trail where cattle graze on and along the trail at times. The state parks department will come in periodically or upon necessity to clean up messes left by cattle along the trail. The trail is currently being resurfaced which costs roughly \$7,000/mile. Landowners were wary that the trail would be mismanaged, but they have found that cyclists are very responsible and take care of the trail.

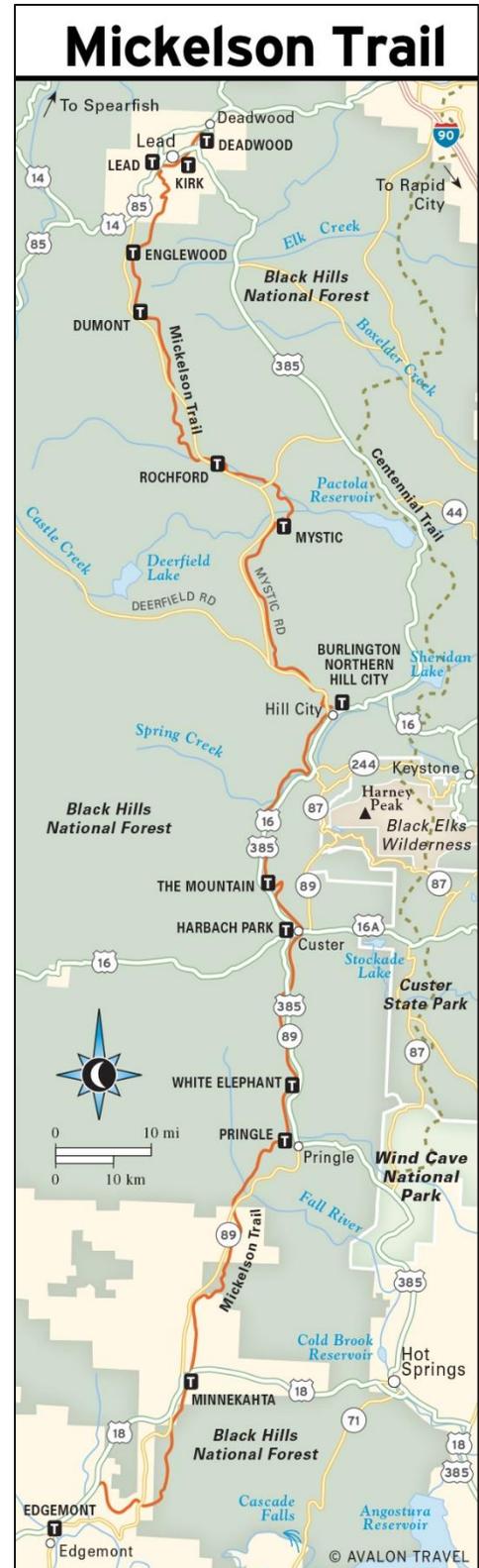


Figure 7: Map of The Mickelson Trail.
Source: Moon Travel Guides

Trail managers also do allow people to drive on the trail (at limited speeds of 15 mph) to access property that is otherwise inaccessible by streets, but people must obtain special permission to do this.

- **Facilities:** There are 16 trailheads that offer parking, self-sale trail pass stations, vault toilets, information kiosks, and picnic tables. There is no camping at trailheads. There is a lot of forest service land along the trail, and bikers can camp anywhere on forest service land.
- **Trespass:** While the entire trail is not fenced, SDGFP does offer fencing opportunities for adjacent landowners where the trail passes through towns. Outside of towns, the decision to fence property along the trail is up to the landowner. If the rural landowner decides to fence their property the state will usually supply the fencing materials, but the landowner is responsible for installing and maintaining the fence. Trail managers for the Mickelson Trail have found that education is the most important tool for proper trail use. Trail managers make great efforts to educate cyclists about how to use the trail and where services, such as water and camping, are available. Trail managers also keep files for every property owner along the trail to track all concerns, issues, and permits.
- **Compatibility with Agriculture:** Grazing allotments exist along the trail, and conflicts with cattle ranching have been addressed with fencing and gating services. There are also several locations where the state has installed underpasses and culverts that allow cattle to pass through without conflict with the trail.

Addressing the Issues

The Mickelson Trail demonstrates high quality trail management that has found a balance between recreational trail use and minimizing adjacent landowner concerns. The trail remains compatible with agricultural activities through coordination with adjacent farmers and a maintenance plan to clean up messes left by cattle along the trail. The Palouse to Cascades Trail plan should incorporate this type of coordination with adjacent landowners and nearby farmers.

The Mickelson Trail experiences low levels of vandalism, in part, due to strategic placement of remote trailheads off main highways, a strategy that the Palouse to Cascades Trail may want to consider when planning the placement of trailheads.

The analysis of this trail also shows that education plays a significant role in proper trail use. The Palouse to Cascades Trail should use the Mickelson Trail as an example of a recreation system that educates trail users on both proper etiquette and preparation for travels along the trail.



Figure 8: Cyclists on the Mickelson Trail. Photo Source: <https://www.mickelsontrailaffiliates.com/>

The Raccoon River Valley Trail and High Trestle Trail

Trail Facts

Length: 90 miles

Surface Type: Asphalt/Concrete

Year Completed: 1989

Permit Fee: \$2/Day or \$10/Year

Types of activity allowed: All non-motorized use & snowmobiles in specific conditions. No equestrian activity allowed.

Description

The Raccoon River Valley Trail (RRVT) is a 90-mile trail with a 72-mile interior loop that passes through rural Iowa woodlands, prairies, farmlands, and small communities. Built on a former railroad right-of-way connecting Des Moines to the Great Lakes region, the Raccoon River Valley Trail is fully paved. The trail's fee proceeds go to the various conservation boards in the counties that the trail passes through.

A 30-mile section of the trail was completed in 2013, which completed the loop section. According to trail managers, this loop completion significantly increased ridership on the trail because trail users preferred the loop as opposed to an out-and-back.

A 2016 economic impact study of the Raccoon River Valley trail found that the average trail user spent between \$6 and \$20 when visiting the trail, usually from purchasing food when stopping in towns along the trail. The study found that the town of Dallas Center, a small town with a population of about 1,000 people about 20 miles outside of Des Moines, generated the most money, bringing in between \$76,896 and \$98,704 during the summer season.⁷ Dallas Center also saw nearly 37,000 people at a trail counter located within the city.⁸

Issues

- **Crime/Safety:** The trail operates a system called TEAS, which is a series of posts located every half mile along the trail that have a location identification number. In emergencies, people can call 911 and tell them the number on the post, which tells the emergency responders exactly where the rider is along with information about how to reach them and what trail accessibility is like in that location. Trail managers also make sure that vegetation is controlled along the trail to improve visibility. Intersection safety measures are taken as well to ensure trail users have safe crossings of busy streets and highways.
- **Maintenance & Clean-up:** The trail passes through three different counties, which are each individually responsible for trail management of their separate sections. Funding for trail maintenance comes from the counties, and some counties invest more in trail maintenance than others.



Figure 9: Raccoon River Valley Trail Map. Source: bikeiowa.com

⁷ Raccoon River Valley Trail Economic Impact Study, September 2016

⁸ <https://dmampo.org/wp-content/uploads/2015/04/final-trails-report-2016.pdf>

- **Facilities:** Restrooms and water are provided at a couple locations along the trail, but there are enough towns along the trail that trail users have frequent access to services in these towns.
- **Trespass:** There are plans to connect the RRVT to the High Trestle Trail, another rail-trail and an Iowa landmark. The completion of this 9-mile trail connection has faced some issues with crossing private property, but cities have been working with property owners to reach a fair compromise for land acquisition, and this connection now appears likely.⁹ Trail managers reached agreements to pay for fencing for some landowners. Other landowners were not willing to sell their land for the trail, so the trail did have to find alternative routing options in these cases.
- **Compatibility with Agriculture:** Along the trail there are designated crossings which have more intense trail treatment to accommodate farming equipment. These crossings have not experienced much conflict because trail popularity during planting and harvesting seasons are not very high.

Addressing the Issues

While the trail is mostly rural in nature, it stems from the outskirts of urban Des Moines. Thus, the trail is less remote than the Palouse to Cascades Trail, with small towns dotted consistently along the trail. However, there are some valuable takeaways from the Raccoon River Valley Trail that can be applied to the Palouse to Cascades Trail.

First, the popularity of the RRVT shows how valuable trail connections are. The increase in trail popularity by adding the loop section, and the strong push to connect the RRVT to the High Trestle Trail show that trails can be capitalized upon when they provide route options and connections to other recreational opportunities.

Second, the trail maintains flexibility in management decisions and styles from the different counties that oversee it. This is beneficial because fewer conflicts may arise when counties can make different decisions about funding, maintenance, and other management issues as meet the desires and needs of that county’s residents. The Palouse to Cascades Trail should consider this option.

Third, this trail is another example of the local economic benefits that recreational trails provide to small towns. This trail’s popularity means frequent stops and spending in the small towns along the trail. While certain sections of the Palouse to Cascades Trail don’t have a high frequency of small towns, there are sections where series of small towns could capitalize on the potential economic benefits of the trail.



Figure 10: The High Trestle Trail Bridge. Photo Source: Iowa Public Television.

⁹ <https://theperrynews.com/deal-struck-with-woodward-connector-trail-landowner/>

Findings

A summary of the issues and the way these three trails have addressed them can be found in Table 2. These issues are further discussed and general strategies for addressing the main issues are developed in the next section.

Table 2: Summary of Findings from Case Studies

Issue	Cowboy Trail	Mickelson Trail	Raccoon River Trail
Crime/Safety	Crime hasn't been a significant issue.	Vandalism sometimes occurs at one of the trailheads along the main highway. Trail hires two people to patrol the trail. Trail is closed at night.	TEAS system provides markers every half-mile. In emergencies, people can call 911 and tell them which marker they are at so responders know exactly where to go. Vegetation is cleared for more visibility, and intersections are treated for safe crossings.
Maintenance & Clean-up	Annual maintenance cost is \$150K, the minimum to maintain the trail. Includes spraying for weeds.	The state parks department comes in periodically or as needed to clean up the trail. Trail is currently being resurfaced at a cost of \$7K/mile.	Repaving projects are necessary to maintain quality of asphalt.
Facilities	There are only 3 trailheads that provide water, restrooms, parking, trail info, and bike repair stations. The towns along the trail provide enough access between trailheads.	16 trailheads offer restrooms and water stations. Camping allowed on Forest Service property along parts of the trail.	Restrooms and water provided at a couple of locations, but towns are frequent enough that trail users can use town services when needed.
Trespass	Fencing for adjacent landowners	Education of trail users about proper trail use and strategic fencing help keep users on the trail.	Fencing for adjacent landowners
Compatibility w/ Agriculture	Crossing leases allow farmers and adjacent landowners to cross at designated spots along the trail. Access gates are installed.	Agricultural crossings are designated. The state has installed underpasses and culverts in certain locations as well for cattle transport.	There are designated crossings for farmers, and these crossings are treated to handle heavy farm equipment. There isn't much conflict due to seasonal use of crossings.

Discussion of Main Concerns

This section provides a discussion of some of the major issues associated with rail-trail development. This discussion helps inform strategies for addressing these issues that then lead to the final recommendations of this report.

Maintenance

Trails, especially paved trails, require consistent maintenance. Maintenance includes weed control, pavement repair, snow removal, cleaning restrooms and other facilities at trailheads, fencing repair along the trail, and litter pick-up, to name a few.

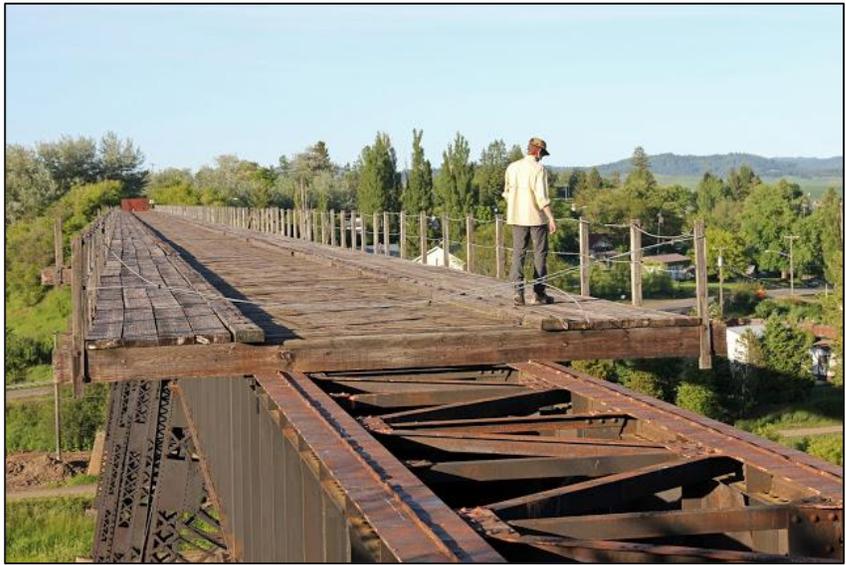


Figure 11: Trails require maintenance to remain in usable condition.
Photo Source: 26 Inch Slicks Blog

Concerns about Rail-Trail maintenance usually arise from the cost of this maintenance because, historically, there has been a lack of clarity on the cost of trail maintenance. RTC sought to estimate the cost of trail maintenance in a 2015 report titled *Maintenance Practices and Costs of Rail-Trails*¹⁰. This study estimated the cost of common types of trail maintenance including vegetation management, surface repair/clearing, trailhead amenities, signage, sanitation, and access control. The report estimates the average annual maintenance cost per mile is \$1,006 for a crushed stone trail and \$1,971 for a paved asphalt trail. These costs include the most basic maintenance tasks needed to keep the trail usable. The report also provides a breakdown of the approximate percentage that individual tasks contribute to the overall maintenance budget. In trail planning efforts, concerns about maintenance costs should be addressed with conversations about funding and planning for the level of upkeep necessary to address any landowner concerns.

Funding

One major concern of rail-trails is their cost to develop in the first place, especially since they are often at least partially funded with public money. Funding is required for acquisition, development, and maintenance of rail-trails, but this funding is often hard to come by. Funding trails often takes a combination of federal, state, and local government funding mechanisms with grants, partnerships, and other funding methods. Each rail-trail project is different, and different locations have different contexts for local and state funding.¹¹ Some rail-trail critics do not believe that funding rail-trails is a worthwhile public investment due to these high costs and complex funding processes. These concerns should be heard and addressed in a manner that respects taxpayers and the use of their money.

¹⁰ RTC *Maintenance Practices & Costs of Rail-Trails* <https://www.railstotrails.org/resourcehandler.ashx?id=6336>

¹¹ <https://www.railstotrails.org/build-trails/trail-building-toolbox/funding/acquisition-funding/>

Property Rights

The conversion of old railroad beds to recreational trails assumes that public use of the land is legal. The abandonment of a rail bed by a railroad company sometimes means the property should revert to the private landowner from whom the railroad acquired it in the first place. Other times the rail bed may be railbanked, meaning that the railroad sells the land to a state agency on the condition that the railroad has the right to re-purchase the land any time if renewed rail service becomes necessary. The legal context should be made clear to landowners during rail-trail development, as the laws vary by state and situation.¹² See Appendix B for more information about the legal context of Railbanking.¹³

Discussion of Main Benefits

Rail-trails also provide certain benefits that add to the quality of life of the communities they pass through. Proponents of rail-trails cite trail benefits ranging from small town tourism and increasing property values, to providing a public gathering space and a facility that encourages physical activity, increasing public health. Those who advocate for rail-trails see them as assets of the state which provide connections between communities and regions. This section explores some of these benefits.

Economic Development

There is a positive relationship between rail-trails and economic development. Trails provide tourism opportunities for small towns, which means visitors who are spending money on food, lodging, and recreation within the city, contributing to the city's economic wellbeing. Long-distance trails provide tourism through rural communities, contributing to the local economies of small towns. Towns can take full advantage of these trails by connecting them with a downtown business district where tourists can access goods and services easily.

In addition to tourist activity, trails have been shown to increase property values of homes and businesses located nearby. One study from the Mickelson trail analyzed results from a user survey that was mailed out to trail users who purchased trail permits during the May – October 2005 season¹⁴. The study found that people spent between \$158 and \$1,118 per party, per trip, to the trail. However, the study also found that trail tourists spent 31% less than other tourists to the area, suggesting that efforts to connect trail visitors with other spending opportunities should be expanded. Additionally, the study suggests efforts to attract greater numbers of high-spending tourists and identified a marketing strategy to advertise the trail in cities where the most high-spending groups came from. Overall, strategies for enhancing the economic benefits of the Mickelson trail included connecting the trail with other tourism opportunities and advertising the trail in cities where people are more likely to take a trip and spend more money during their trip.

These and similar strategies can be applied to development of the Palouse to Cascades Trail in order to take advantage of the economic benefits of the trail.

¹² <https://fee.org/articles/the-dark-secrets-of-rail-trails/>

¹³ <https://narpo.us/row.htm>

¹⁴ Characteristics and Behavior of Tourists who visited the George S. Mickelson Trail during 2005 Peak Season

Public Health

Cycling is an increasingly popular mode of commuting to work. Between 2000 and 2012, the number of U.S. workers who commuted daily via bicycle increased from 488,000 to 786,000—a 60 percent gain. With continued investment in bicycle infrastructure, we can expect more than 1 million Americans to routinely bike to work. Increasing transportation alternatives has also been shown to increase worker productivity and decrease wear on federal highways—saving maintenance costs.

Trail investment and development, including rail-trail, add to the network of trails and other bicycle infrastructure that make cycling a more reliable and viable form of transportation for Americans. Providing these options allows commuters to make transportation choices that provide societal benefits ranging from reducing pollution, easing traffic congestion, and improving public health.¹⁵

Additionally, trails can lead to savings in medical costs. A study of Lincoln, Nebraska, found that every dollar spent on trails returned \$2.94 in direct medical benefits. Having access to walking or jogging trails is associated with a higher percentage of people meeting current activity recommendations compared with those who didn't have access to trails. Investing in active transportation infrastructure eliminates a host of negative health-risk factors in trail users—relieving strain on federal health-care programs and American taxpayers while catalyzing community development.¹⁶

Development of the Palouse to Cascades Trail should recognize the public health benefits of recreational trails and evaluate the potential savings in the transportation and health sectors resulting from trail development.



Figure 12: Runners participate in the Mickelson Trail Annual Marathon. Photo Source: <https://www.deadwoodmickelsontrailmarathon.com/>

¹⁵ https://sallan.org/pdf-docs/USCensus_WalkBikeWork.pdf

¹⁶ <https://journals.sagepub.com/doi/abs/10.1177/1524839903260687>

Recommendations

This report has outlined some of the best practices regarding rail-trail development. Through the analysis of case studies, concerns, and benefits, and within the context of the Palouse to Cascades Trail, the following recommendations are presented in order to guide the development of the trail in a way that both capitalizes on the benefits of rail-trails while also satisfying the concerns of adjacent landowners.

Property Rights Addressed

As one of the underlying concerns about rail-trail development, property rights and the legal context along the trail corridor should be clearly communicated to all. Adjacent property owners and other stakeholders should be notified about trail development, and they should be educated about their rights. Landowners should be briefed on both the liabilities and opportunities associated with rail-trail development and allowed to have their voice heard in the development process. In areas where property owners have rights to the land being used for trail development, the government should engage in discussions about fair compensation for the land.

Crime-Control Plan

Crime is one of the top concerns from adjacent landowners about rail-trail development. These landowners should be involved in the development of a crime-control plan for the trail. The crimes of most concern are trespassing, burglary/robbery, vandalism, and littering. Specific measures should be outlined in the crime-control plan to address these potential crimes. Potential measures are outlined below.

Trespassing: According to the practices of other rail-trails, proper fencing is one of the recommended ways to help control trespassing. In addition, clearly marked trails and signage can also help to keep trail users on the trail and not wander onto other people's property.

Burglary/Robbery: Regular patrols of the trail, emergency phone stations, strategically placed cameras, and trail lighting can help keep crime down along trails.

Littering & Vandalism: Resources, such as a 24/7 trail hotline, could be operated that allow people to call and report instances of littering and vandalism along the trail. This could help track where these incidents occur more frequently and also let trail managers know if trail cleanup is needed. Trail cleanup should be operated regularly, but emergency cleanup operations could also be available for more significant incidents.

Maintenance Plan

Since maintenance cost is a very pragmatic concern, rail-trail development plans should include a detailed estimated operations and maintenance budget. This information should be made clear in the trail planning process so that actual maintenance costs are public knowledge. With estimated budget costs worked out, there will be less uncertainty around maintenance costs and any concerns about these costs will be grounded in the actual data, rather than in fear about potential costs.

Economic Development Plan

An economic development plan would help coordinate the type of trail development that would best serve the small towns along the route. This plan should include a concerted effort by all interested towns so that wayfinding, connections to services, and benefits to trail neighbors are consistent throughout the region, while also addressing the needs of the individual communities to capitalize on their unique characteristics for greater economic benefits.

Appendix A: A Summary of Other Reports

The Great American Rail-Trail Assessment, 2019

The 2019 report reviews the existing trails and trail gaps in the proposed route for the Great American Rail Trail. The report reviews the trail on a state-by-state basis, identifying a total of 517.5 miles in Washington, with 367.8 miles already existing, and 149.7 miles of gaps in the trail.

The report cites review of 20 plans in Washington State, including:

Statewide

- Washington State Rail Plan: Integrated Freight and Passenger Rail Plan 2013-2035, Washington State Department of Transportation – 2014
- 2013-2018 Washington State Trails Plan, Washington State Recreation and Conservation Office – 2013
- State Comprehensive Outdoor Recreation Plan, Washington State Recreation and Conservation Office – 2013
- Washington Transportation Plan 2030, Washington State Transportation Commission – 2010
- Washington State Bicycle Facilities and Pedestrian Walkways Plan 2008-2027, Washington State Department of Transportation – 2008

Whitman County

- Whitman County Six Year Transportation Improvement Program from 2018-2023, Washington State Department of Transportation – 2018
- Whitman County Comprehensive Plan, Whitman County Planning Department – 2014
- Whitman County Parks and Recreation Comprehensive Plan 2004-2009, Whitman County – 2009

Adams County

- Adams County Greenways Plan, Adams County – 2010
- Quad County Regional Transportation Plan: Adams, Grant, Kittitas and Lincoln Counties – 2007
- Adams County Comprehensive Plan, Adams County – n.d.

Grant County

- Grant County Comprehensive Plan Update, Grant County –2018
- Quad County Regional Transportation Plan

Palouse to Cascades State Park Trail Management Recommendations Report 2016

This report outlined the recommendations for the development of the Palouse to Cascades trail, stemming from a public outreach effort aimed at addressing the concerns of rural property owners and small towns along the trail. Some main points from this report are noted below.

- State parks ownership is not continuous across the entire 285-mile railroad ROW -however, continuous ownership does exist for 110 miles from north bend to Columbia river near vantage, and for 105 miles from Lind to the Idaho border.
- The 70 mile segment between Lind and Malden was the focus of the planning efforts through Grant, Adams, and Whitman counties.
- This plan arose from specific adjacent property owner and recreational user concerns prompted by trail consideration during the 2015 legislative session. CAMP initiated a process to address these concerns.
- An advisory committee was assembled and there were 5 committee meetings held in Moses Lake.
- 4 open public meetings were held in 2016.
- Land classifications along the corridor were identified as a combination of recreation, resource recreation, and heritage area.
- The trail itself is classified as a resource recreation area.
- Land classified as 'Recreation areas' are proposed for trailheads within or adjacent to communities and for those providing water, sanitary, parking, and/or picnic facilities/services.
- Trailheads and heritage facilities are listed, as well as permitted uses in each land classification.
- A long-term park boundary was created to take a look at land surrounding the park, regardless of ownership
 - This included all public and private trail gaps from Lind to Malden, totaling approximately 4 miles of disconnected gaps, ranging in length from 500 feet to 2 miles.
- It identified the need for a phased transition of management responsibility from DNR to State Parks

The management issues below were identified through the planning process and are discussed and addressed in the management recommendation table included in the report.

- Noxious weeds and vegetation management
- Trespass
- Fencing and gates
- Trailhead facilities
- Camping facilities
- Trail surfacing
- Bridges and trestles
- Permit requirement
- Park (trail) naming
- Long-term boundary
- Land classification
- Natural resources
- Cultural/historic resources

Four main issues emerged through the course of the planning process. These were:

- Noxious weed control and vegetation management
- Trespass on adjacent private property
- Recreational use permit requirement
- Park (trail naming)

Trail management efforts made so far:

- In 2018, State Parks hired a Park Ranger to provide a presence on the trail for both adjacent owners and trail users.
- Trespass can occur when trail users do not have access to necessary services such as water and restroom facilities. Trail users may be unaware of property lines and wander off the trail for views. Management approaches suggest informational signage, education, fencing, gates, and bollards.
- Permit required east of the Columbia river for both state parks and DNR. Permit info- not including names or personal info- is provided to adjacent landowners, if requested.

Management Recommendations:

- Trailheads at 8-12 mile intervals – grants have been submitted for trailheads at malden and rosalia
- Camping areas should be 5-8 miles from trailheads and 8-10 miles from each other – will be addressed as trailheads are implemented
- Camps should be positioned to minimize risk/need for trespassing

Currently there are gaps along the trail created by private property, Department of Natural Resources (DNR) managed trail and a 30 mile section of active rail line. In some cases trailhead locations may require acquisition of additional land. Listed below are the existing gaps along the trail corridor.

Existing Gaps – East to West

- Pine City – Checker-boarded ownership
- Rock Lake north – One mile
- Rock Lake south – 500 feet
- Ewan – Two miles
- West of Ewan 1 – 1400 feet
- West of Ewan 2 – 2000 feet
- East of Lind – 1500 feet
- Warden to Port of Royal Slope – 30 miles of active rail line (Port of Royal Slope and Burlington Northern Santa Fe)
- Port of Royal Slope to Columbia River – 40 miles of DNR managed trail Management Recommendations 1

Trail gaps created by privately owned parcels and active rail operated by the concessionaire for the Port of Royal Slope and Burlington Northern Santa Fe railroad would be included in the long-term boundary. DNR managed trail would be included in the long-term boundary to advance shared trail management goals. Parks would pursue easements, property agreements, and other means of establishing management for trail 21 purposes. State Parks will work with active rail line operators to explore opportunities such as trails next to the active rail line

Appendix B: Rail-Trails

Introduction to Rail-Trails

Rail-trails are multipurpose public paths created from former railroad corridors. These paths are flat or gently sloping, making them easily accessible and a great way to enjoy the outdoors. Rail-trails are ideal for many types of activities--depending on the rules established by the local community--including walking, bicycling, wheelchair use, inline skating, cross-country skiing and horseback riding. This report analyzes best practices in rail-trail development. Some case examples of trail developments are examined, and then a broader exploration is made of both the main benefits and main concerns that consistently arise with rail-trail development.

History of Rail-Trails

In the 1800s railroads were thought to be important enough that Congress and many states gave public lands and, later, easements over public lands to the railroads. Certain states also gave them the power to take private land. Sometimes a railroad would buy the private land outright (called a “fee simple estate” in property law); sometimes only an easement was purchased; and sometimes it was unclear: a transfer from a farmer or other landowner to a railroad might use words like “fee simple,” indicating an outright purchase, but also words like “right of way” and “for railroad purposes,” indicating the purchase of an easement only. In addition, the law of some states seemed to limit the railroad’s purchases to easements only, irrespective of the wording.

The result was over a quarter of a million miles of railroad tracks in the United States by 1920. But by 1989, 50% of the rails were abandoned due a decline in the railroad industry as other transportation options, such as semi-trucks, became more convenient. Once the railroads abandoned their easements across private land, there was discussion about whether that could result in a reversion of the land to the owners. What happened next was a concerted attempt to prevent that.¹⁷

In 1976 Congress first recognized a problem with reversion: the expense of reacquiring rail corridors, should they be needed in the future, would be considerable. The concept of “rail banking” was born, and a complex system of laws was passed essentially to prevent a court from finding that a railroad had abandoned an easement across private land. If an easement could not be ruled abandoned, it could be later used for a commuter rail if needed. In the interim, a state or a group of rail-trail proponents could convert the line to a public way.

¹⁷ Rails-to-Trails Conversions: A Legal Review <https://www.railstotrails.org/resourcehandler.ashx?id=10554>

Then came the idea of funding conversion of abandoned rail lines for recreational purposes. In 1992 Congress dedicated some of the federal highway funds available to the states to rail trails. Primary sources of funding (the 1991 Intermodal Surface Transportation and Efficiency Act (ISTEA) and its successor, the Transportation Equity Act) have yielded over \$2 billion in support of rail trails and related projects. That funding, in turn, spawned organizations like the Rails-to-Trails Conservancy, which assists communities in securing federal money and in planning and constructing bicycle rail trails.^{18,19}

Today, across the country there are over 2,000 rail-trails consisting of over 24,000 miles of trails. The types of rail-trails range from urban to rural, and from less than one-mile long to several hundred miles long.

Railbanking & the Legal Context of Rail-Trails

Railbanking is a voluntary agreement between a railroad company and a state or trail agency to use an out-of-service rail corridor as a trail until a railroad might need the corridor again. A corridor that is railbanked prevents abandonment, which means that the rail easement ends and the right-of-way returns to the previous landowners.

In 1983 the National Trail System Act was amended to promote the preservation of abandoned railroad rights of way. The Act authorizes private or public entities to purchase inactive/unused lines from railroad companies for conversion to public recreational use. The railroad retains repurchasing rights should rail operations once again become necessary.

In the 1990 case *Preseault v. ICC*, the U.S. Supreme Court unanimously upheld the constitutionality of the Railbanking Act as a valid exercise of Congress' power under the Commerce Clause. In upholding the constitutionality of the law, the Court stated: "Congress apparently believed that every line is a potentially valuable national asset that merits preservation even if no future rail use for it is currently foreseeable." The Court also held that any claim that the Railbanking Act "takes" private property without the just compensation required by the Fifth Amendment to the U.S. Constitution can be addressed by filing a claim for compensation under the Tucker Act.

In 2014, the Supreme Court upheld that terminated rail easements imply the land returns to its previous owners. However, this decision has not had much impact on development of rail-trails as it does not directly impact railbanked corridors.

The current state of the law in the "takings" cases has incentivized the filing of "takings" claims involving the railbanking law, resulting in substantial payments by the United States to the claimants and to their attorneys. However, a judgment in favor of the landowners in a "takings" case does not overturn the railbanking order that facilitates the rails-to-trails conversion, nor does it affect the trail managers' continued ability to use the corridor for trail purposes. The remedy available to these claimants is compensation for the "fair market value" of the land occupied by the railbanked rail corridor.

¹⁸ <https://narpo.us/row.htm>

¹⁹ *Brandt Revocable Trust v. United States*. Oyez, www.oyez.org/cases/2013/12-1173

The Great American Rail-Trail

One of the flagship initiatives of the Rails to Trails Conservancy is the Great American Rail-Trail. The vision is to have a continuous scenic pathway stretching across the country from Washington, D.C. to Washington State. 52% of this trail is already in place, so greater efforts are underway to complete the gaps that make up the final half of the trail. One of these gaps is the Palouse to Cascades Trail, which represents the final missing western link of the trail.²⁰



Figure 13: Map of the Great American Rail-Trail. Photo Source: Rails to Trails Conservancy

²⁰ <https://www.railstotrails.org/greatamericanrailtrail/>