

MINUTES

**Senate Committee on Agriculture, Forestry, and Economic Development
House Committee on Agriculture, Forestry, and Economic Development
Meeting Jointly**

September 10, 2019

The Senate and House Committees on Agriculture, Forestry, and Economic Development met jointly on Tuesday, September 10, 2019, at 1:30 p.m., in Room B, MAC, Little Rock, Arkansas.

Committee members present: Senators Ricky Hill, Vice-Chair; Eddie Cheatham, and James Sturch. Representatives Dan Douglas, Co-Chair; David Hillman, Vice-Chair; Rick Beck, Stan Berry, Harlan Breaux, Marsh Davis, Les Eaves, Charlene Fite, Steve Hollowell, Lane Jean, Joe Jett, Stephen Meeks, Jeff Wardlaw, and Carlton Wing.

Other legislators present: Senators Trent Garner and Mark Johnson. Representatives Karilyn Brown, Sarah Capp, Justin Gonzales, Monte Hodges, Fredrick Love, John Maddox, Reginald Murdock, Aaron Pilkington, Jamie Scott, and DeAnn Vaught.

Call to Order: Representative Douglas called the meeting to order.

Consideration to approve May 14, 2019, and August 1, 2019, Meeting Minutes [Exhibits C-1 & C-2]

A motion to approve the minutes of the May 14, 2019, and August 1, 2019, committee meetings was made by Representative Joe Jett and, without objection, the motion carried.

Study on ATV Tourism and Trail Expansion in accordance with Act 671 of 2019 [Exhibit D]

Representative Douglas recognized Representative Sarah Capp who explained the study proposal she introduced through legislation during the 92nd legislative session. She stated the purpose of the legislation is to study increasing all-terrain vehicle (ATV) tourism and promote economic development for small businesses catering to ATV tourism.

Representative Douglas recognized Chris Muldoon, who stated ATV tourism impacts Johnson County where he operates a small cabin rental business catering to ATV tourists. He believes increasing ATV trails and creating an ATV friendly atmosphere will benefit the local economy. Mr. Muldoon discussed the trail system associated with his business, which includes 86 approved forest trails but they are not continuous, which ATV riders and businesses are seeking to change. He and others work with the forest service, county officials and private land owners in order for riders to navigate the trails.

Representative Douglas referenced a letter sent by the U.S. Forest Service (Exhibit D-1). He stated the forest service declined the committee's invitation to testify. He suggested members review the concerns the Forest Service noted in its letter regarding ATV tourism.

Representative Douglas recognized David Bell, Chief of Policy and Legislative Affairs, Department of Parks, Heritage and Tourism. Mr. Bell discussed the divisions within the Department and their roles in a study of ATV tourism. The Arkansas State Parks Division would be a participant in a study. The Tourism Division would be in charge of promoting ATV tourism. The former Natural Heritage Commission is responsible for conservation activities particularly in the wildlife management areas which are protected areas with limited use. Mr. Bell stated he believes an interim study would help with more research and collection of data. Other recreational activities, like mountain biking, have a considerable amount of data and research on the economic impact the activities have on small businesses and communities. Mr. Bell

also discussed different options for funding a trail system through the use of permit fees or stickers purchased by ATV riders.

Representative Douglas recognized Joe Jacobs, Marketing and Revenue Manager, Department of Parks, Heritage and Tourism. Mr. Jacobs stated he serves as a consultant on outdoor recreation and explained the current trail system in Arkansas's state parks, which include:

- 2 state parks with ATV trails
- Mount Magazine has a trail approximately 1/2 mile long which leads from the top of the mountain into national forest property
- approximately 40 miles of ATV trails, horse trails, and mountain bike trails in the National Forest
- mountain bikes are allowed in the Daisy State Park where the Bear Creek Cycle Trail began as a motorcycle trail, which now serves as an ATV trail approximately 2.5 miles within the park
- ATV trail in the Daisy State Park extends 20 miles on Corps of Engineer land around Lake Greeson

Representative Douglas recognized Department of Transportation (DOT) representatives Lorie Tudor, Deputy Director and Chief Operating Officer, and Jay Thompson, Chief, Arkansas Highway Police. Ms. Tudor described a concern DOT has regarding a section of code addressing all-terrain vehicles on public streets or highways not designated as interstate highways. There are specific highways throughout the state where ATVs would not be allowed to travel. She said a study could help to determine criteria for acceptance of an existing state road into a statewide all-terrain vehicle trail system. Ms. Tudor stated the department receives \$410,000 in federal funding annually dedicated to motorized trail development. The funding requires a non-federal 20% match, which can be in the form of donated materials, donated services, or cash. Example projects could be new trail construction, rehabilitation of existing trails, trail head facilities, education publications, brochures, maps, and safety programs. The funding is through the Federal Highway Administration with the Arkansas DOT as the administrator. The funds cannot be used on regular highway projects. Mr. Thompson asked the committee to continue to allow the DOT to work with the committee in discussions involving an ATV trail system. He said the highway police is responsible for over 16,000 miles of highways in the state. The DOT is neutral on the issue.

Representative Douglas recognized the following individuals who signed up for public testimony:

- Robert Blake testified as the President of Off Highway Visions, a non-profit corporation operating on behalf of the ATV industry. Mr. Blake stated one of the corporation's goals is maintaining and increasing Off Highway Road Vehicle (OHV) recreation in the state.
- Ken Vickers stated he participates in the Buckhorn OHV group and volunteers in clearing trails. He suggested the committee engage individuals from local communities and from a variety of groups as it considers the issue.
- Royal Kines stated he was speaking on behalf of individuals from Alma and Van Buren. Mr. Kines believes an expansion of OHV recreation will damage roadways and personal property.
- Donny Stuart stated he owns an ATV park with 3,000 acres and 55 miles of trails dedicated to motorized recreation. He believes the OHV activity provides economic opportunities for small businesses.
- Barney LaRue believes the OHV activities cause accidents and too many problems for law enforcement.
- Joshua Carper advocated for a statewide trail system connected through public roads.

There being no further business, the meeting adjourned at 3:30 p.m.