

## **Follow-up to questions asked at October 22nd, 2024 Heartland Trail Landowner Meeting.**

### **1. How often are the trails used? How many daily users**

The state of MN has counting equipment along some trails throughout the state. While we don't know the number of people who may use the Clay County segment of the Heartland Trail we do have data from other MN state trails. Below is data from two trails in central MN:

- Paul Bunyan Trail (north side of Baxter):
  - January pedestrians: 17 per day
  - January bikes: 6 per day
  - July pedestrians: 80 per day
  - July bikes: 121 per day
- Migizi Trail (just south of Cass Lake):
  - January pedestrians: 3 per day
  - January bikes: 1 per day
  - July pedestrians: 47 per day
  - July bikes: 29 per day

To view other count locations along MN trails, you can visit the following page:

<https://www.dot.state.mn.us/bike-ped-counting/reports.html>

### **2. How is maintenance conducted in winter?**

Winter maintenance will include grooming of the snowmobile trail along the Heartland Trail corridor. There may be segments of the paved trail that are plowed in or adjacent to communities, but a special maintenance agreement will need to be agreed upon on a case by case basis.

### **3. Is eminent domain possible?**

There are no intentions of eminent domain for the purposes of this trail. As Metro COG has led the Heartland Trail planning efforts in Clay County, Metro COG maintains the stance that no eminent domain will be used for the purposes of this trail. Any land needed for construction of this trail will be purchased or an easement will be set up on a voluntary basis by the adjacent landowners.

### **4. Would there be any impact on existing trees?**

There will likely be some trees that need to be removed to make room for the new trail. Specific tree impacts will be identified during the design development phase for each trail segment.

### **5. How would bridge widening be funded?**

Bridge widening may be funded through the same funding mechanisms that are identified and received for trail development.

**6. Has rail right of way been considered?**

Rail right-of-way (ROW) has been considered for this trail. Rail ROW would be ideal for this trail. The former Northern Pacific rail alignment in eastern Clay County was looked into for use, however this ROW has long since been sold and is now in private ownership. The current BNSF rail line ROW has also been considered as BNSF has some ROW on both sides of their tracks, however BNSF is not interested in selling any of their ROW.

**7. How many dogs are likely to be on the trail?**

It is hard to quantify how many dogs will be on the trail at any time. Dogs are allowed on State trails, but they need to be kept on a leash and under control at all times, and owners are required to pick up after their pets.

**8. What are the landowner's liabilities for the adjacent trail? If users come onto their property?**

Minnesota has recreational use statutes that provide a shield from liability for landowners who allow public access to trails across their land. If trail users come onto private property, that becomes a local enforcement concern.

**9. Are there fees for use?**

There are no user fees for trail users, except for snowmobile use, which requires a Minnesota Snowmobile State Trail Pass.

**10. For electric bicycles, what classes would be allowed?**

The Minnesota DNR states that electric-assist or pedal-assist bicycles are allowed on state trails, or wherever normal bicycles are allowed, if they meet the following definition in Minnesota Statutes 169.011, Subdivision 27

- 2 or 3 wheels
- A saddle and fully operable pedals for human propulsion
- Equipped with an electric motor that has a power output of not more than 750 watts; and
- Meets the requirements of a class 1, class 2, or class 3 electric-assisted bicycle.

**11. How is the trail paid for?**

There will likely be a variety of funding sources which would pay for the Heartland Trail in Clay County. Trail constructed within jurisdictions (Moorhead, Hawley, etc.) may come from a mix of their local funds and grants. Trail segments in the rural areas might be constructed using grants and state funds. State funds might come from MN bonding bill funding. The majority of the funding for the Heartland Trail construction between Detroit Lakes and Frazee came from MN bonding bill funding.

**12. How would construction impact property owners?**

If the trail is developed adjacent to private property, access to driveways will be available at all times. There may be situations where temporary construction easements will be needed, but that will be determined during the design development phase.

**13. How would the trail impact wetlands?**

A wetland delineation will be conducted as part of the design process and if feasible, the trail will be routed around wetlands. If needed, boardwalks can be constructed to carry the trail across wetlands.

**14. Could snowmobiles go on alternative routes?**

Where local ordinances don't allow for snowmobiles within their jurisdictions (for example through Buffalo River State Park or many cities), a snowmobile route away from the trail will be established. The study team is looking to see if there are other areas where existing snowmobile routes can be used rather than the trail in the event that the Heartland Trail alignment isn't conducive to snowmobile use.