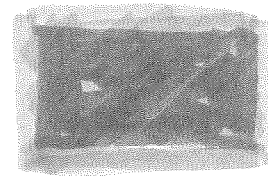


**Southwest Multi Use Path**  
**documents**  
**for December 11, 2012**  
**City Council Meeting**



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## REPORT OF THE COMMITTEE FOR THE STUDY OF THE SOUTHWEST COMMUTER BICYCLE AND PEDESTRIAN PATH

NOVEMBER 2, 1998

November 2, 1998

Mayor Susan Bauman

City-County Building, Room 403

210 Martin Luther King, Jr. Blvd.

Madison, WI 53710

Dear Mayor Bauman:

The Committee for the Design of the Southwest Commuter Bike and Pedestrian Path is pleased to present its report and recommendations in the accompanying document. The Committee is very excited about the proposed path on the abandoned Wisconsin & Calumet rail corridor from UW-Madison (Randall Avenue) southwest to the new Nine Springs E-way Path (the Capital City State Trail). Not only would the path tie into the Capital City State Trail, but planned extensions of this trail would also tie into the Military Ridge State Trail. Another great feature is that the path would only have six street crossings along its four-mile length.

The Committee has been holding public meetings and collecting information about the proposed path since February of this year. The report's recommendations are based on input from adjacent landowners and potential path users. The path should accommodate the needs of as many users as possible, including bicycle commuters, walkers, disabled users, dog owners, recreational bikers, and in-line skaters. The corridor should be designed, constructed, and operated to minimize and alleviate undesirable impacts, preserve compatible uses, and be an asset to adjacent landowners and neighbors. One recommendation, not included in the report, is that path construction be limited to between 7:00 a.m. and 7:00 p.m., during the workweek, and 9:00 a.m. to 6:00 p.m., on weekends.

The Committee was very happy to hear that the Wisconsin Department of Transportation authorized \$1,248,000 in federal funds to pay for 80 percent of the project. The Committee encourages the Madison Common Council to quickly approve the matching 20 percent funding so the path can be designed in 1999, and constructed in 2000. While collecting information, the City of Fitchburg suggested extending the path south from Lovell Lane approximately 1000 feet so it would connect with the Capital City State Trail. It also agreed to pay the matching 20 percent funding for the extension.

Thank you for forming the committee and we hope that our report serves the community well.

Respectfully the Committee Co-Chairs,

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A citizens committee was appointed by the Mayor to collect information about the proposed Southwest Commuter Bike and Pedestrian Path from adjacent homeowners and potential users. The four-mile path would be on the abandoned Wisconsin & Calumet rail corridor. It would start at Randall Avenue (near Camp Randall Stadium) and head southwest to Lovell Lane (approximately a mile south of the Beltline). The committee was chosen to represent the interests of adjacent homeowners, bikers, walkers, dog walkers, cross-country skiers, and other interested parties. It has been holding public meetings and collecting information since February, 1998. Based on this information, the committee developed a set of recommendations and goals for the Path.

While the committee was gathering information, the City of Madison applied for funding of 80% of the project through Wisconsin's Statewide Transportation Enhancements Program, a federally funded program. The 80 percent federal funds match was approved in September for \$1,248,000. The city has begun identifying consultants who will be candidates to design the path. The City is proposing to design the Path in 1999 and to build it in 2000.

### **Introduction**

The quality of life in Madison has repeatedly been rated as among the best of any city in the country. One of the reasons often cited for this quality of life is the 25 miles of bike and pedestrian paths. Thus, ease of walking and biking are seen as indicators of the quality of life in a city. Being able to walk and bike in and between neighborhoods makes our city more livable.

In Madison, the bike and pedestrian paths provide many benefits to the community. Bicyclists, pedestrians, runners/joggers, disabled users, in-line skaters, and others use these paths. They provide inexpensive, clean recreation and important commuter routes. They provide safe routes for children going to school, play, and neighbors, eliminating the need for parents to drive them. They provide continuity of the pedestrian and bicycle network by connecting parts of the city otherwise cut off by major roads that act as barriers to bicyclists and pedestrians. They encourage people to bike and walk who are otherwise intimidated by traffic and thus help slow the growth in congestion and pollution. They reclaim public spaces for public use, and in the process beautify the space with landscaping and by removing trash and unsightly vegetation. They allow everyone including the elderly and disabled to enjoy the natural surroundings of the path. And they tend to increase the value of homes near the paths.

Construction of the proposed Southwest Commuter Bike and Pedestrian Path will provide many of these benefits. This path will connect the southwestern part of the city, which is cut off by Verona Road and the Beltline, to the rest of Madison's pedestrian and bicycle system. This will make it much easier for people now driving to work to commute by bicycle. It will in turn help slow the growth in congestion on streets like Monroe and Midvale. The Path will ultimately be connected to the Capital City and Military Ridge State Trails providing direct access to an extensive recreational trail network. The Path will make it easier for city Parks Division staff to access the area to remove trash and nuisance vegetation. Construction of the Path will provide an opportunity to simultaneously correct storm water and drainage problems along the corridor. Access points to the corridor will be made better, and safer.

However, as with any major project, good planning will be required to ensure that the community realizes the benefits mentioned above. A successful project will minimize and alleviate undesirable impacts, and be an asset to adjacent landowners and neighborhoods. The following statement sums up the committee's basic principles for the Path.

### **Vision Statement**

The trail corridor should safely meet the needs of bicycle commuters, recreational bikers, walkers, in-line skaters, disabled users, and dog owners while being aesthetically pleasing to users and neighbors. The corridor should be designed and operated to minimize and alleviate undesirable impacts, preserve compatible uses, and be an asset to adjacent landowners and neighbors.

In general, the committee feels that design should be done on a block-by-block basis, and neighbor-by-neighbor communication should occur as peculiarities are confronted. Doing so will result in both a practical path for users and an unimposing community resource for those who live adjacent to the Path.

Shoulders along the side of the Path are important. Path users, including kids on bicycles, need a runoff area if they lose control. Dog walkers and joggers may prefer to use a softer natural surface. The mowed shoulders need to be wide enough so that plants and branches do not constantly encroach on the Path. Elderly users in particular have expressed an interest in having turnout areas with benches where they can rest off the Path.

### **Path Surface and Width Recommendations**

4. The surface should be paved with asphalt or concrete.
5. The paved surface should be ten feet wide, except from Commonwealth to Randall Avenue, where it should be twelve feet wide.
6. The shoulders along the paved surface should be mowed and 2 to 5 feet wide, where feasible.
7. Unpaved turnout areas with benches should be provided approximately every one-half mile. They should be located on the side opposite residences, whenever possible.

### **C. Lighting**

Most of the adjacent landowners north of the Beltline that expressed an opinion strongly oppose lighting the Path. In contrast, most adjacent landowners south of the Beltline want lighting. Landowners north of the Beltline are concerned that lighting will spill into their homes. Although using shielded light fixtures on timers can minimize this spillage, the committee recommends **no** lighting in residential areas unless most of the adjacent landowners request it.

From the Beltline south to Lovell Lane, the committee surveyed adjacent landowners, including residents and businesses (refer to Appendix C). They would like conventional streetlights with no restrictions on light spillage. The committee believes similar lighting should be used on the Path segment near campus, from Randall Avenue to Breese Terrace, because it will probably be popular with students on foot and will be used late at night. Landowners living from the Beltline north to Breese Terrace will be surveyed about Path lighting on a block-by-block basis during the design phase of the project.

One of the great things about the proposed Path is that there are few road crossings. Some of these crossings already have streetlights because of the railroad tracks. Crossings without streetlights should have them installed so drivers can see Path users more easily. Similarly, in areas where there is no lighting, it may be difficult to see people entering the Path. Low wattage lighting or illuminated signage can help alert people to non-road access points and make it safer for people merging on to the Path.

Several homeowners living near the Edgewood Avenue bridge suggested lighting under the bridge to discourage kids from loitering. This question should be further explored during the design phase for the Path.

Installing conduits for lighting along the entire length of the Path maximizes future flexibility. It is much easier and less costly and disruptive to install conduit while the Path is being built than after it is finished. The committee strongly urges this installation.

Neighborhoods may initially choose to not have lighting, but later decide that they want it. Extending funding for lighting would allow neighborhoods to request lighting later on if they change their minds.

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Current bike and pedestrian path standards say little about lighting. The Oregon State Bicycle and Pedestrian Plan encourages it by simply stating, "good lighting can make pedestrians feel safer." Washington, D.C. has one of the largest bike and pedestrian path networks in the nation and it is mostly unlit. However, in a 1995 Washington, D.C. survey, 11% of respondents said they would use a bicycle for transportation if bike paths were well lit and marked and there was a safe place to lock their bike (source: Activity-Based Modeling System for Travel Demand Forecasting, The Travel Model Improvement Program).

### Lighting Recommendations

8. There should not be lighting unless most of the adjacent landowners request it. Requests should be considered on a block-by-block basis. The only exception to this is where lighting is needed for safety.
9. Conventional streetlights are needed for safety where roads cross the Path.
10. Where lighting is requested by adjacent landowners, it should allow timed operation subject to neighborhood preferences and safety requirements. Lighting should be done by specially selected, reasonably priced, down-lighting fixtures that concentrate light along the Path and further minimize light spillage by using shields. A demonstration rig should be used to allow neighbors to compare lighting options.
11. From the Beltline south to Lovell Lane, adjacent landowners, including residents and businesses, requested lighting from dusk to dawn with no restrictions on light spillage to promote a safe and secure environment.
12. The committee believes that the Path segment near campus, from Randall Avenue to Breese Terrace, will be safer if conventional streetlights are installed.
13. The committee believes that access points should have low wattage lighting or illuminated signage.
14. Wiring conduits for lighting should be installed along the entire length of the Path.
15. Funding should be extended to allow neighborhood requests for additional lighting for one year following completion of the project.

### D. Fence/Railing

Committee members and neighbors oppose installation of fences that would separate the Path from the neighborhoods. However, fences will be needed in some areas where the Path is elevated with steep drop-offs.

### Fence/Railing Recommendations

16. No fencing or railing should be installed except for the safe operation of the Path.
17. If the distance from the edge of the paved path to a drop-off or slope is greater than 5 feet, no safety barrier is needed except on bridges or other clearly dangerous situations.
18. If the distance from the edge of the paved path to a drop-off or slope is less than 5 feet, safety barriers should be provided. The design should follow guidance published by the Institute of Transportation Engineers and should be updated if revised guidance is released. In addition, safety barriers should be aesthetically acceptable and should be adequate to protect small children as well as adults.

### E. Pavement Markings and Signage

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CHASE

find a phone outside the Path corridor. Emergency phones will be useful for reporting accidents and health emergencies as well as crime or vandalism.

The committee did hear evidence of one security problem: people throwing objects from overpasses of the rail corridor into the corridor. This has been evidenced by trash, such as bottles, under the overpasses. Some members of the committee were not sure how much of a problem this was because the trash has accumulated for some time, and because it was not clear how much trash came from the overpasses and how much from people walking in the corridor. However, the committee felt that measures should be considered to discourage throwing of objects from the overpasses because of the serious danger thrown objects pose to Path users.

### **Neighborhood Security Recommendations**

24. The police should periodically patrol the Path preferably by bicycle or foot.
25. Emergency call phones should be considered at appropriate locations along the Path.
26. Planners should seriously consider measures to discourage throwing objects from overpasses onto the Path.

### **G. Support Organizations and Maintenance**

The State of Wisconsin owns the abandoned railroad corridor in which the proposed Path would be built. The State will lease the corridor to the City of Madison but will not provide maintenance for the Path. At most points, the legal corridor is 100 feet wide. Over the years, abutting property owners have installed landscaping, gardens, fences, or even sheds in the right-of-way. However, the committee has walked the Path and believes the effect of the project on existing landscaping beyond the path and shoulder will be minimal.

The neighborhoods and adjacent neighbors will be stewards of the corridor similar to neighborhoods adjacent to city parks. Their stewardship will prevent and solve problems in the corridor and ensure neighborhood involvement with development of the corridor. Path users are responsible for treating the corridor respectfully, courteously, and responsibly as they would their own neighborhood. The City of Madison will be responsible for maintaining and policing the Path. City maintenance will include mowing and clearing brush from the shoulders, maintaining the paved surface and other amenities, litter and snow removal, and storm water control.

### **Support Organizations and Maintenance Recommendations**

27. The committee strongly encourages the neighborhood associations adjacent to the Path and Path users to organize a "Friends of the Southwest Rail Path" group. The Friends group can mediate concerns and problems with the corridor, relay needs and concerns to the City, coordinate volunteer efforts to beautify the corridor, and provide a conduit for fund raising.
28. The Path should be added to the City of Madison priority bike snow removal routes because of anticipated year round use of the Path.

### **H. Temporary Path from the Beltline Overpass**

The City of Madison is currently constructing a pedestrian/bicycle overpass of the Beltline at Hammersley Road. This overpass will eventually connect segments of the Path north and south of the Beltline but will be finished this fall, at least two years before the Path is completed. In the interim, pedestrians and bicyclists from south of the Beltline will be able to access the overpass from Hammersley Road but there will be no access from north of the Beltline unless a temporary path is constructed. Thus, for the overpass to be immediately useful in connecting pedestrian and bicycle traffic on either side of the Beltline, some type of temporary path needs to connect the north side of the overpass to

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The Southwest Commuter Bike and Pedestrian Path is a unique opportunity to build a connection from the inner areas of Madison to the southwest. The gentle grades and lack of crossings will be a delight to people of all ages, including pedestrians, cyclists, skaters and wheelchair users. From the end of the path in Fitchburg, the Path would connect with other paths and the network of paved back roads that make Wisconsin a superb bicycling area. In a larger context, this path helps fulfill a vision set forth by the U.S. Department of Transportation in "The National Bicycling and Walking Study." That vision is about choice.

"The vision of this program is a nation of travelers with new opportunities to walk or ride a bicycle as part of their everyday life. They may walk or bike to a carpool or bus or train as part of a new intermodal trip pattern, or they may find that they can walk or bike with safety and ease all the way to their destination. Many will find that they do not have to use a motor vehicle for trips to church, to work, to school, or to the store. They will like what they are doing for the community and for themselves. America will have a changed transportation system -- better balanced to serve *all* travelers."

"This is the vision -- to create a changed transportation system that offers not only choice among travel modes for specific trips, but more importantly presents these options so that they are *real* choices that meet the needs of individuals and society as a whole." (from The National Bicycling and Walking Study).

The Southwest Commuter Bike and Pedestrian Path will bring that vision closer to reality by expanding the transportation choices for thousands of area residents and creating new recreational opportunities by connecting together several popular recreational trails.

The benefits of the Path will extend beyond mere transportation as it will blend into the fabric of our city. It will expand the community and facilitate communication. Every time we build a facility that brings people face to face, we build more than a path, we build community.

In its deliberations, the committee has talked with many neighbors of the route and other interested parties. We have conscientiously tried to achieve consensus recommendations that maximize the benefits of the Path and address the concerns that we have heard. We welcome questions if any part of our report is unclear.

The members of the committee express our thanks to Mayor Bauman, Alders Bellman, Golden, MacCubbin, Poulson and Reif for creating and supporting the committee. We also thank Christy Bachman and Tom Walsh of the City Engineer's office for their patience and staff support.

#### **Appendix A: Map of the Proposed Path**

#### **Appendix B: List of Committee Members**

#### **Appendix C: Lighting Survey from the Beltline South to Lovell Lane**

MEMO 8/1/98

TO: Committee for the Study of the Southwest Commuter Bicycle and Pedestrian Path

FROM: Ed Daub

RE: Design Criteria for Lighting and Landscaping on the Path from the Beltline to Lovell Lane

At our last meeting, in discussions of issues regarding lighting and landscaping, frequent reference was made to the importance of obtaining input from neighborhood associations. I assume that this means the neighborhoods

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# LETTER TO MAYOR BAUMAN DETAILING DMNA'S OFFICIAL POSITION ON SOUTHWEST COMMUTER BICYCLE PATH

July 21, 1999

Dear Mayor Bauman,

I enclose a document detailing the Dudgeon Monroe Neighborhood Association's official position on the Southwest Commuter Bicycle path. This represents a year-long process of public neighborhood meetings of the DMNA Rail Corridor Conversion Committee chaired by Paul Beckett. Quite a number of Regent Neighborhood residents, in addition to many members of our association, have had a voice in creating this document. The DMNA Transportation Committee, chaired by Ann Clark, also had an opportunity to review and comment. The full DMNA council reviewed and unanimously adopted the enclosed document on July 14, 1999.

I would be remiss if I failed to mention the assistance given us by Christy Bachman of city staff, and by Tony Fernandez, lead design engineer for Earthtech in charge of the rail conversion.

I want to call your attention in particular to the strong emphasis on aesthetics placed by the future users of this trail. We feel this attention to aesthetic detail must pervade the project, even to the name. There is nothing inviting in the name "Southwest Commuter". As the enclosed picture demonstrates, the Capitol Dome is perfectly framed by the arch of the Spooner Street Bridge. For this reason we would like to suggest that consideration be given to changing the name of the trail to "Capitol View Trail".

Thank you for the opportunity to be a part of this vital upgrade to the livability of Madison!

Sincerely,

William W. Barker

President, DMNA



### **DUDGEON-MONROE NEIGHBORHOOD ASSOCIATION Positions on the Southwest Bicycle-Pedestrian Path**

#### **A. Adoption**



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The following statement was formulated and recommended by the Dudgeon-Monroe Neighborhood Association (DMNA) Rail Corridor Committee at its meeting of July 6, 1999 and was unanimously adopted by the DMNA Council at its meeting of July 14, 1999.

## **B. Preamble**

DMNA strongly supports the conversion of the rail corridor bordering our neighborhood to a multi-use bicycle and pedestrian path, as recommended by the mayor's committee for the design of the southwest commuter bike and pedestrian path. The path represents a laudable step toward reducing car traffic congestion by encouraging and facilitating alternative transportation. For residents of our neighborhood (as for the community as a whole) the path will provide welcome new commuting and recreational opportunities. We think that the path will represent an enhancement to the Dudgeon Monroe Neighborhood and will strength our sense of community.

DMNA feels that it is important that Madison seize this opportunity to create a path that is more than a pavement strip. The rail corridor represents a community natural resource, and the aesthetic, ecological and recreational opportunities need to be part of our planning along with the more obvious transportation aspects. And, as we design and construct the path, we should minimize negative aspects to residents who live close to the path.

To help realize these goals DMNA has created a committee for the path to consult within the neighborhood, and to work with city and planning agencies, to help make the completed path one in which we all will take pride. We hope that other neighborhoods touched by the path will want to join in an active long-term friends organization to support, improve and maintain the path as an important community asset.

During the present planning stage, and the construction phase expected next spring and summer, DMNA and its rail corridor committee would like to assist in any way we can. Our association could consider cost-sharing financial contributions for enhancements that cannot be included in the project budget. Our residents can contribute expertise in a variety of areas, and can contribute in providing volunteer labor to improve the path.

Our rail corridor committee, and the DMNA Council, after extensive consultation within our neighborhood have adopted eleven important principles that we feel should guide planning and construction. These are provided below.

## **C. DMNA Recommendations on Issues**

1. DMNA regards as essential the recommendation of the Mayor's Committee that engineering/design and construction of the path be managed to minimize inconvenience, loss of privacy, damage to vegetation and landscaping, etc., for residents whose property abuts the rail corridor.
2. In keeping with 1., DMNA strongly urges the City's commitment to the principles of flexibility in design that were intended by the Mayor's Committee. In particular, DMNA urges a commitment to flexibility in the width of the area to be graded as part of construction, and in the width of shoulders between the paved path and the edge of construction. These may be five feet (on each side) where space is conveniently available. However, in closely settled areas where houses are extremely close to the corridor, shoulders should be two feet to minimize damage to neighbors' landscaping, and to their enjoyment of their property.\* As indicated in the Preamble, we think that DMNA, and its rail corridor committee, can assist the planning process, and help assure an outcome that will please all concerned. As promised in the Mayor's Committee report, it is important to consult intensively with nearby neighbors and to accommodate their concerns as much as possible.
3. Trees adjoining the developed area which provide shade and privacy to neighbors should be spared so far as

construction and safety considerations permit.

4. The bridge over the overpass at Hillington Green should be built of wood with wooden railings (not concrete and chain link), in keeping with the wooden pilings and local sandstone underneath and with the traditional quality of the neighborhood. As stated in the Mayor's Committee report, the historic underpass should be preserved.

5. Banks and ditches should be cleaned up (refuse, trees and brush from previous cuttings) as part of the construction process (if it starts clean it will be much easier to keep clean).

6. The aesthetic and recreational aspects of the path should have a claim on project funding along with "core" items. This could include benches, stopping points, drinking fountains, and attractive informational signage. We recommend development of a "wayside" at Glenwood Children's Park. Our neighborhood association is willing to work with the city to accomplish this, including volunteer work by our residents.

7. The City should work with interested neighbors to restore and preserve native plant species at the borders of the path. A volunteer group has already been formed to work with planners and the city to preserve and improve vegetation on the corridor and its borders. This project should be taken as an opportunity to control invasive plants (e.g., Japanese bamboo and garlic mustard) which are aggressively spreading from the corridor into woods and yards, and are rapidly choking out desirable native plants. Again, our Association, and our members, stand ready to help.

8. With regard to winter maintenance, the city should look for a solution that accommodates both bikers and skiers. No salt should be used for winter maintenance. Salt will be incompatible with native plantings, will wash into abutting gardens, and will contribute to lake pollution.

9. There should be no nighttime lighting in the DMNA section except as required for safety at street intersections, access points, and under bridges. Nearby neighbors should be consulted on the need for lighting and type of lighting.

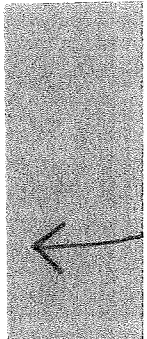
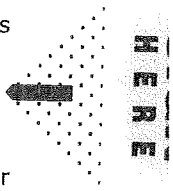
10. The multi-use character of the path once completed must be respected. It is important that different user groups respect the uses and enjoyments of other groups. For instance, bicyclists should not ride so fast as to alarm or endanger other users. Pedestrians should not block the path for bicyclists. Dog walkers should keep their pets on leash and carry waste away. Effective signage reminding all users to observe such principles of civility and community should be provided for in the project budget. Our rail corridor Committee will be happy to work with the city in suggesting principles for use and in designing signage.

11. The Dudgeon Monroe Neighborhood Association strongly supports the principle of providing adequate access points along the bicycle/pedestrian path, using publicly-owned land, so that all possible potential users will be able to walk or bike conveniently to the trail, and to use it easily for commuting, shopping and recreation.

We believe that providing many access points will serve to minimize the impact on any one location, and that denying access in an obviously needed location will usually be thwarted anyway by pedestrians and bikers who can easily make trails or use existing footpaths. Such ad hoc undeveloped access points are likely to raise safety and environmental concerns.

Selection of access points to be developed should meet the needs of path users and of the larger community but also should minimize the impact on nearby residents. Fairness calls for uniform application of criteria of need and practicability as the potential access points along the whole length of the path are considered and evaluated.

Intensive consultation with residents is important. Particularly important and urgent (in our neighborhood) is an



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effectively-noticed public consultation with residents on access points in the stretch of path between commonwealth avenue and the crossing between Virginia Terrace and Sheldon-Fox.

\* **[FOOTNOTE TO POINT 2:]** Special circumstances requiring flexibility in relation to such factors as topography, house placement, trees and landscaping exist at various points along the corridor. But our Committee is especially concerned about the portion of the path between Commonwealth and the crossing between Virginia Terrace and Sheldon-Fox. In this stretch a number of houses are extremely close to the rail corridor and the potential impacts on residents are consequently particularly great.

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# Rails-with-Trails: Lessons Learned

*Literature Review, Current Practices, Conclusions*



U.S. Department of  
Transportation

**Federal Highway  
Administration**

**Federal Railroad  
Administration**

**National Highway  
Traffic Safety  
Administration**

**Federal Transit  
Administration**



*August 2002*

FTA-MA-26-0052-04-1

## Foreword

This report has been prepared at the direction of the U.S. Department of Transportation for the purpose of examining safety, design, and liability issues associated with the development of shared use paths and other trails within or adjacent to active railroad and transit rights-of-way. This document is intended to explore lessons learned from the experience of rails-with-trails (RWTs), and suggest practices to enhance safety and security for railroads, transit, and trail users.

The U.S. Department of Transportation does not actively promote RWT projects, but recognizes that RWTs already exist and that more are being planned and implemented. This report provides information for public agencies, railroads, legal interests, and trail organizations to make informed decisions.

### NOTE

**This document is disseminated under the sponsorship of the U.S. Department of Transportation in the interest of information exchange. The United States Government assumes no liability for its contents or use thereof.**

as those who provided substantive comments and insights throughout this process, but chose to remain anonymous.

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## Lighting

Lighting an RWT is dependent on a variety of factors, including cost to install, maintain, and operate; whether the RWT will be used as a commuter facility in the winter and low light hours; and potential impact on neighbors. Most paved paths are not illuminated due to the expense to install and maintain the lighting and the potential impacts on nearby homes. Exceptions to this are at-grade crossings and undercrossings, where lighting is a matter of safety and visibility. Trail designers should take into account lighting impacts on train operation and visibility for any RWT crossing of or under a roadway and/or tracks.

One innovative pathway lighting concept that may be considered is to have lighting activated by motion detectors, so that the trail is lighted while people approach and a few minutes after they pass, but not for the entire night.



Trailhead sign, Burlington Waterfront Bikeway. *Burlington, VT*

## Signing and Markings

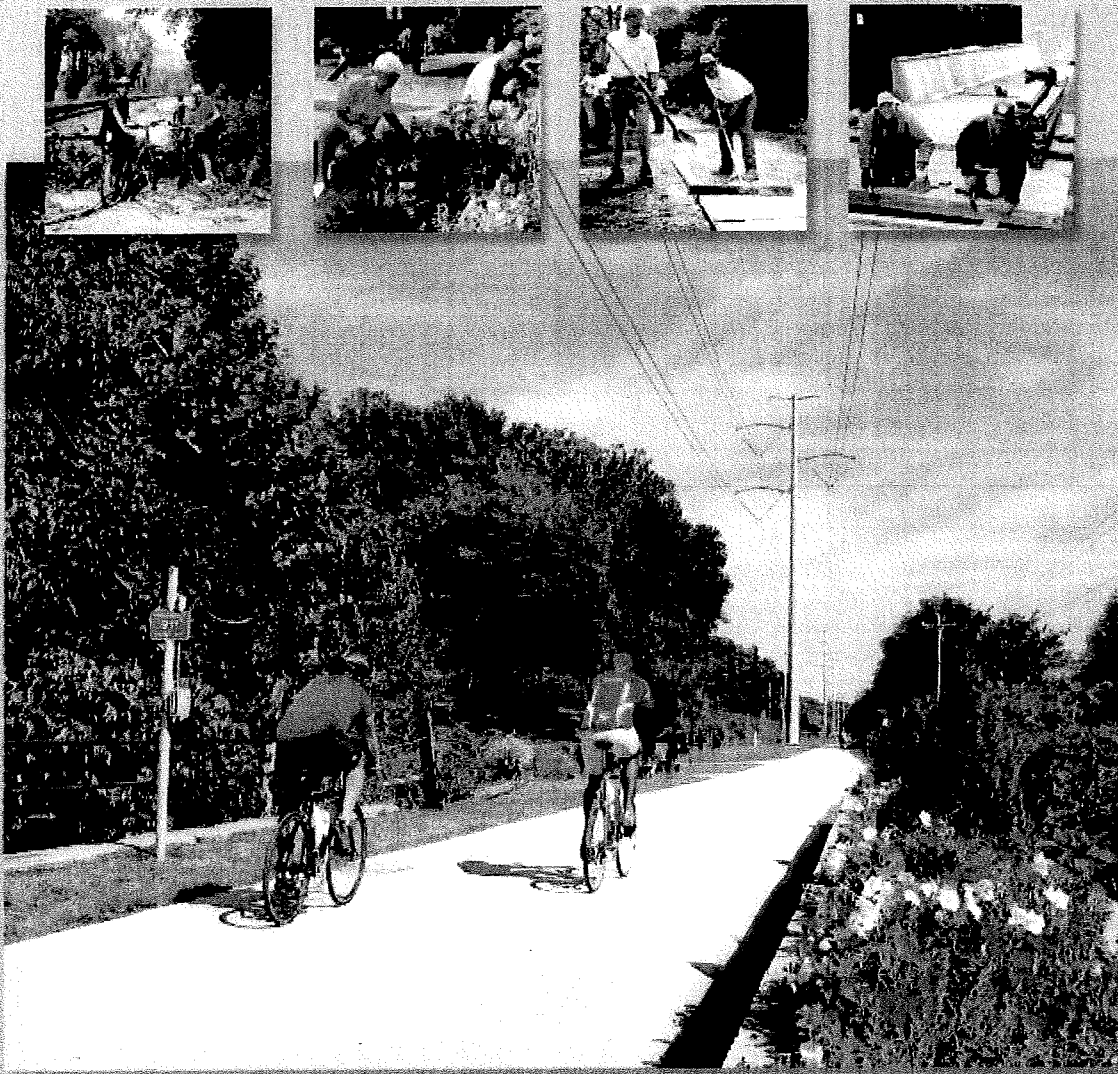
Advisory and regulatory signs on RWTs related to transportation (stop, slow, curve ahead, etc.) should follow MUTCD standards, especially for signs that directly impact user safety. The size, frequency, location, and other aspects are clearly identified in the MUTCD or State highway design manual. Local agencies may use their own discretion for other signs, such as user protocol between pedestrians and bicyclists, speed limits, hours of use, and emergency contact information.

The feasibility study should present recommendations, designs, specifications, and costs on signing and striping that meet Federal and State standards, and the local agency needs. This may include entrance or gateway signs, natural or historic interpretation signs, or regulatory and etiquette signs.



# RAIL-TRAIL MAINTENANCE & OPERATION

*Ensuring the Future of Your Trail —  
A Survey of 100 Rail-Trails*



**Rails-to-Trails Conservancy**  
[www.railstotrails.org](http://www.railstotrails.org)



RAILS-TO-TRAILS CONSERVANCY NORTHEAST REGIONAL OFFICE

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Rails-to-Trails Conservancy  
Northeast Regional Office

Tim Poole

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Front cover photos

Top, left to right: York County Heritage Rail-Trail, Pa. (Courtesy of Rails-to-Trails Conservancy); Baltimore & Annapolis Rail-Trail, Md. (Dave Dionne); Three Rivers Heritage Trail System, Pa. (Courtesy of Rails-to-Trails Conservancy); Capital Area Greenbelt, Pa. (Courtesy of Rails-to-Trails Conservancy)  
Bottom: Schuylkill River Trail, Pa. (Boyd Loving)

# Liability, Insurance and Public Safety

Liability is perhaps the most common and complex issue facing trail managers today. Trail groups, governments, railroads and private landowners are all concerned about potential legal ramifications of trail ownership, and are unsurprisingly hesitant about accepting liability. In point of fact, no one can absolutely assure you that you won't be sued, or that you will win if you are. While the law and precedent are firmly on your side, the risk of being the exception to the rule is still more than some decision-makers are willing to bear.

Setting aside our natural fears of what *might be* for a moment, there is much comfort to be taken from what *actually is*:

- Trails and trail users are inherently safe. Most of the reported suits were the result of one individual being reckless, then trying to shift blame onto the trail.
- State law typically removes much of the liability from landowners who open their property for public recreation except in cases of gross negligence.
- Eleven trails reported being sued. Considering that we surveyed 100 trails, with an average age of 12 years, and average of 136,986 users per year, that's more than 150 million trail visitations with only 11 suits.

Still, no one wants to be on the receiving end of even a minor nuisance suit. There remains the aggravation and expense of having to defend yourself, not to mention the funds that are diverted away from trail development and maintenance. So, what can you do to protect yourself? Here are a couple of highlights. For a more in-depth analysis of this topic, please refer to RTC's publication *Rail-Trails and Liability* ([www.trailsandgreenways.org/resources/development/opposcom/tgc\\_liability.pdf](http://www.trailsandgreenways.org/resources/development/opposcom/tgc_liability.pdf)).



Northampton Trail, Mass. (Craig Della Penna)

- If possible, place the trail in public ownership.
- Understand your state recreational use statutes and other pertinent laws. A reference to these statutes for all 50 states can be found at: [www.nps.gov/nrcr/programs/rtca/helpfultools/recusebrochures/index.htm](http://www.nps.gov/nrcr/programs/rtca/helpfultools/recusebrochures/index.htm).
- Design for safety.
- Regularly inspect the trail and correct any unsafe conditions. Keep records of these activities.
- Prominently post hours of operation and other rules and regulations, along with emergency contact information.
- Incorporate, which may eliminate some personal liability for principals.
- Buy insurance.

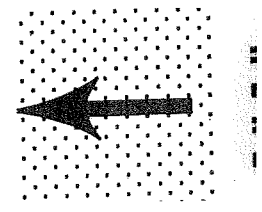
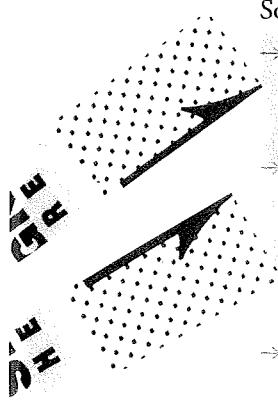
More than three quarters of respondents have insurance of some kind, with many benefiting from umbrella coverage through a larger governmental entity. The average coverage amount is just under \$3,000,000 with an average annual cost of \$2,061, and a quarter of trails have additional coverage. While it is a good chunk of a \$25,000 budget, this could prove to be invaluable, and may even be mandatory if you hold public events. Organizations should consider blanket liability coverage with optional riders for officers and directors, vehicles, structures, etc. Two good sources for coverage are The Alliance of Non-Profits for Insurance ([www.ani-rrg.org](http://www.ani-rrg.org)) and the Land Trust Alliance ([www.lta.org](http://www.lta.org)).



Orange Heritage Trail, N.Y. (Boyd Loving)

Some additional statistics related to trail safety:

- Two-thirds of trails are open from dawn to dusk with most of the remainder being open 24 hours a day. Very few trails have specific hours of operation.
- As most trails officially close at dusk, it is not surprising that only seven report having lights at trailheads, only three report lights along the trail, and only a short segment of one trail has emergency call boxes. All trails with lights report having them wired (as opposed to battery or solar power), and all report controlling the lights with light sensors.
- Three quarters of trails are patrolled by police, sheriffs, rangers or some similar authority, while one-third have some sort of citizen patrols.
- Despite this vigilance, two-thirds of trails report vandalism of signs, including equal parts damage, graffiti and theft. One-third of trails report problems with other vandalism, dumping and trespass, mostly illegal ATV access.
- Fortunately, only five trails report minor crimes against property, and *no* crimes against persons were reported.

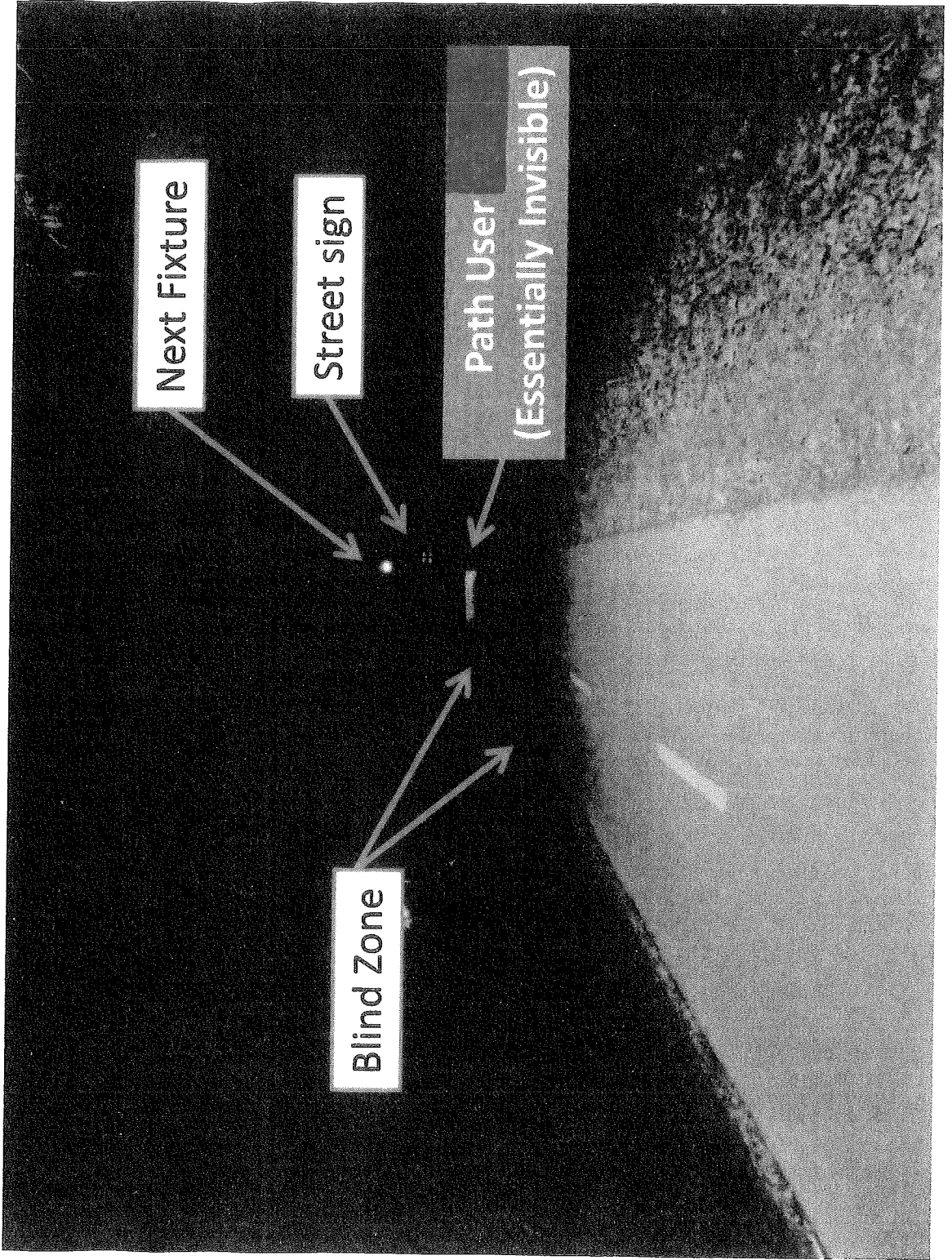


Join the approximately 500 Land Trust Alliance Sponsor members that have decided to come under the Conserve-A-Nation® Insurance Program. The Program offers a wide range of coverage including a basic program that consists of general liability insurance, non-owned and hired auto liability, and property coverage. Additionally, the program offers optional insurance including umbrella coverage that provides an added layer of protection against liability. Other coverage includes Worker's Compensation/Employer's Liability and Volunteer Workers Accident coverage. Your land trust can also access one of the most important coverages for a nonprofit organization, Directors and Officers insurance. This coverage affords protection against claims arising from "wrongful acts" and poor business decisions made by a



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# Person standing on path





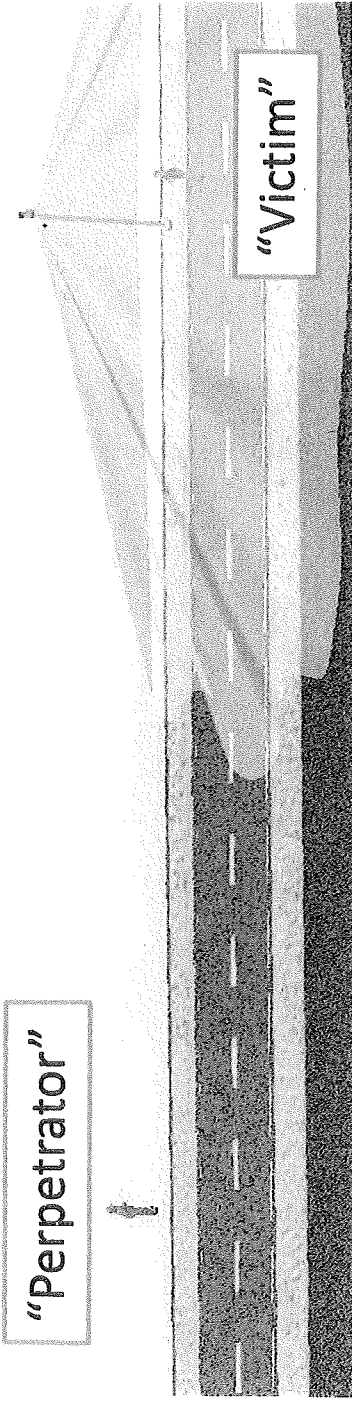
(A)

Debris (sticks, acorns, walnuts) on path at arrow. Approx. 40 feet away.



(B)

Black dog on path at arrow. Approx. 40 feet away.

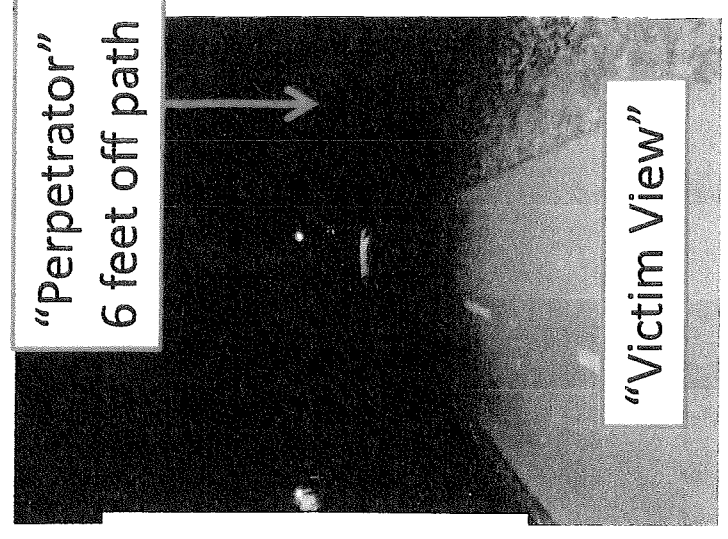


← Blind Zone →

By standing off to the side of the path in any "blind zone", a perpetrator can easily view all Passersby without being detected.



(A)



(B)