



NEW YORK - NEW JERSEY TRAIL CONFERENCE

PARK ADOPTION PROCESS

Approved by the Policy Council on June 26, 2019

1 PREFACE

Approvals are needed whenever the Trail Conference agrees to maintain additional trails or to carry out trail work beyond normal maintenance. These approvals ensure that:

- The Trail Conference has appropriate agreements in place with the land manager under which the Trail Conference will build and maintain trails and has the ability to refer to approvals to address any future issues of permission or liability.
- The Trail Conference has the resources to maintain the trails and carry out the planned work.
- Any planned trail work conforms to the rules and processes of the land manager and the Trail Conference.
- Information about the changes is recorded properly in the Trail Conference Trail Database.

There are three separate approval processes, some or all of which may be required for a particular project. These are:

1. [Park Adoption Process](#) (*subject of this document*): This Trail Conference process is required if the Trail Conference is agreeing to adopt trails in a new park or area where we do not already have an agreement with the land manager to build and maintain trails in that area. It is also used if we will cease working on trails in an entire park or area. The process, which ensures that we have an appropriate agreement in place and that we have the resources to work in the new area, must be completed before either of the other two processes can be finalized.
2. [Trail Adoption Process](#): This Trail Conference process is required if the Trail Conference intends to maintain a trail or to close or abandon a trail we maintain.
3. [Trail Construction Approval Process](#): This process, which involves both the land manager and the Trail Conference, is used to obtain the necessary approvals for trail work beyond normal maintenance on trails we have adopted.

This document describes the Park Adoption Process in detail. See the links above for details about the other two processes. If more than one of these processes is required for a project, the processes can proceed in parallel, but a process cannot be completed until the process listed above it has been completed.

2 INTENT AND OVERVIEW

In adopting a park, the Trail Conference agrees to maintain trails in the adopted park. This approval process must be followed for adopting a new park. A park must be adopted before completing the related [Trail Adoption Process](#) to adopt any trails in the park, either existing trails or trails to be built. The Trail Conference only adopts parks that are open to public

access and only maintains trails in parks that have been adopted. The process is also used to drop a park from the list of adopted parks and cease maintaining trails there.

LTC Chair approval is required to adopt a park. The Appendix provides a checklist of factors that the LTC Chair should consider in deciding whether a park should be adopted. Critical factors are the availability of resources to manage the trails in the park and the establishment of necessary relationships with the land manager. In the event that the LTC Chair does not agree to take on the park, the process is referred to the RTC, which may agree with the LTC Chair to not adopt the park, consider splitting the LTC region and restarting the process with a new LTC Chair, or taking other appropriate action.

3 APPLICABLE POLICIES

The [Trail Management Policy](#) mandates the process of approving a new park. As a result, this process establishes a new record in the approval database whose information and attachments may be subject to the [Records Retention and Destruction Policy](#), for example when there is a Memorandum of Understanding (MOU) or equivalent document.

4 DEFINITIONS

Adoption – Adoption is the result of applying this approval process, in which the Trail Conference agrees to maintain trails in the park.

Land managers – Landowners or landowner representatives such as park managers empowered to make trail and land use decisions.

Memorandum of Understanding (MOU) – A document, which may have other names in some jurisdictions, outlining mutually agreed performance expectations for two or more entities.

Park – A generic term used here to mean any piece of land owned by a single entity, whether government (federal, state, county, or local) or private (nonprofit or individual landowner).

Park system – A group of more than one park managed by the same land manager.

Regional Program Coordinator (RPC) - A Trail Conference Staff Member responsible for a geographic region.

Trail Database – A database maintained by the Trail Conference which includes all trails which the Trail Conference maintains and may include other trails.

5 DESCRIPTION OF PRACTICE OR PROCESS

5.1 Scope

The Park Approval Process applies to all parks that have not yet been adopted including new parks in an existing park system. Any parks in which we maintain trails at the time this process is adopted are deemed already adopted. The process also applies if the Trail

Conference proposes to drop a park from the list of adopted parks and cease maintaining trails there.

5.2 Roles

1. **Local Trail Committee (LTC) Chair** - Assess and advise regarding proposed adoption or decommissioning of trails and major trail relocations in the LTC area.
2. **Regional Program Coordinator (RPC)** - Facilitates the process.
3. **Executive Director** - Signs any MOUs involved in the process
4. **Land Manager** - Signs any MOUs involved in the process

5.3 Step by Step Process for Adopting a New Park

- 5.3.1 Tentative proposal to adopt a new park, typically initiated by the park.
- 5.3.2 LTC Chair, working closely with the RPC, evaluates the proposal using the checklist in the Appendix and makes a recommendation whether the park should be tentatively adopted pending successful MOU negotiations.
- 5.3.3 LTC Chair notifies RTC members of intentions.
- 5.3.4 Put in place an appropriate agreement with the land manager:

Case 1: For a new park in an existing approved park system, check the existing MOU or other land manager agreement to make sure it includes the new park and adjust if necessary.

Case 2: For a new independent park or new park system, it is preferable to sign an MOU with the land manager ([sample MOU](#)). The LTC Chair and the RPC should work together to negotiate the MOU and coordinate legal review with the Board Council. In some cases, another option is for the land manager to join the TC as a maintaining club. If the land manager is unwilling to create an MOU, a handshake agreement describing the terms under which the Trail Conference will maintain the trails should be documented. Typically this might be an email to the land manager including details about the property and the agreement, probably including a map, and a response from the land manager indicating agreement.

- 5.3.5 The LTC Chair attaches the MOU or other agreement to the [park records](#).
- 5.3.6 Based on a successful MOU process, the LTC Chair makes the decision to adopt.
- 5.3.7 A designated staff person will add the park and all trails in it to the Trail Database. The park must be created in the database before trails in it can be added.
- 5.3.8 The LTC Chair notifies the land manager and Trail Conference Communications Manager that the Trail Conference has agreed to maintain the trails in the park.

5.4 Process for Removal of a Park

The LTC Chair, working closely with the RPC, reviews the proposal to drop a park and notifies affected parties as in the adoption process above. If the decision is made to drop a

park, the Trail Database is edited to mark the park and all the trails in the park are marked as non-TC maintained. Follow the [Records Retention and Destruction Policy](#) for handling all contracts, MOUs, or other agreements associated with the park. Most MOUs allow either party to drop out of the MOU, so if the park drops out, we must remove the park.

6 FORMS SUPPORTING THE PRACTICE OR PROCESS

There must be an MOU or documented handshake agreement between the Trail Conference and the land manager.

When approval is complete, the process for creating a new park in the Trail Database is described here: <http://www.nynjtc.org/content/how-add-park-tc-database>. The park needs to exist on the website in order to add trails to the database.

7 CONTACTS

This process is the responsibility of the Policy Council, which will review it periodically.

8 EFFECTIVE DATE AND PRIOR PROCESS REPLACED

This process is effective upon Policy Council approval.

Many existing, adopted parks have not gone through any approval process and they are grandfathered into being approved.

APPENDIX: CHECKLIST FOR LTC APPROVAL OF A NEW PARK

1. Is there an approved trails plan for the park? (review it)
2. Number of miles of existing or potential trails?
3. Allowed trail users of the existing or planned trails?
4. Who are the user groups and are there existing conflicts?
5. Are existing trails generally in good shape or do they need extensive work?
6. Number of maintainers needed for trails:
 - a. The Trail Conference supplies maintainers
 - b. The park supplies maintainers but the Trail Conference provides training, crews, management, etc.
7. Number of new supervisors needed for above number of maintainers?
8. Can existing trail crews handle the load or is a new one needed?
9. Has recruiting for new volunteers been easy or hard in your region?
10. Might you need to split the LTC because of your limits to managing additional volunteers or interacting with land managers?
11. Will costly infrastructure construction or improvements such as bridges or puncheon be needed? Is funding for this likely to be available?
12. Is there funding for Conservation Corps crews to work there?
13. Are we going to take on all or only some of the trails?
14. Does the park have "unusual hoops" to jump through that will take extra management time, e.g. is the process for approving additional trails long or arduous?

15. What, if any, red flags were found in dealing with the land manager during this approval process?
16. What are the politics of a denial? If we do not agree to maintain trails in the park, would there be results which would cause problems for the Trail Conference?