



# NEW YORK - NEW JERSEY TRAIL CONFERENCE

## TRAIL CONSTRUCTION APPROVAL 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 and GIS mapping layers.

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

1. [Park Adoption Process](#): 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 new trail or close/abandon a trail we maintain.
3. [Trail Construction Approval Process](#) (*subject of this document*): This process, which involves both the land manager and the Trail Conference, is used to obtain the necessary approvals for trail work beyond that outlined in the Trail Maintenance Manual on trails we have adopted.

The Trail Construction Approval Process only applies to trails which the Trail Conference has adopted or is in the process of adopting. This does not preclude the Trail Conference from working on or acting as an advisor on projects managed by other organizations. Some projects may be below a threshold needing a formal process.

### 2 INTENT AND OVERVIEW

The intent of the approval process is to ensure that we have all the necessary permissions before construction begins and that updates to the trail database are made when needed. All trail construction beyond normal maintenance must be reviewed to determine whether formal approvals are necessary and/or updates to the trail database will be needed. The review is typically done by the LTC Chair, but may be done by a project manager as

described below. The process is not needed for small projects such as replacing a few steps or broken boards on a bridge if they don't need land manager approval and don't affect the trail database. If the review determines that formal approvals are needed or that trail database updates will be necessary, a process implemented by a simple, continuously updated [online form](#) must be followed. It starts at the initial concept phase for the proposed project and concludes when the work is completed and any updated information is entered into the Trail Database.

Formal approval using this process is needed for most new trail construction, many relocations, and some repairs. The land manager is always a party to the approval process, though the land manager's approval process is agency specific. The Trail Conference will work with the land manager to obtain the necessary land manager approvals. For the Trail Conference, the LTC Chair can approve most changes except as noted below.

For larger projects, it is important to widely publicize proposals at the concept phase, at least within the RTC, so various ideas from different people may be considered. While RTC input is taken into consideration when forming a trail construction plan, the Trail Conference's chosen course of action ultimately lies with the land manager and Trail Conference project manager.

The trail construction approval process can begin before either the park or trails within a park are adopted, but it can't be completed without both [park](#) and [trail](#) adoption.

### **3 APPLICABLE POLICIES**

This process is mandated by the [Trail Management Policy](#).

The result of following this process is a new record in the approval database whose information and attachments may be subject to the [Records Retention and Destruction Policy](#).

### **4 DEFINITIONS**

**[Categorical Exclusion](#)** – A Categorical Exclusion (CE) refers to a category or type of action which, under normal circumstances, predictably does not cumulatively or individually have the potential for significant environmental impact. These types of actions are not excluded from the requirements of the National Environmental Policy Act (NEPA). Rather, they generally do not require preparation of an Environmental Assessment to determine if impacts are significant or an Environmental Impact Statement to assess and mitigate significant impacts.

**Approval type** – One of:

- New trail
- Extension of existing trail
- Relocation
- Maintenance requiring permissions, e.g. bridge, wetlands, etc.
- Remediation of trail being closed or abandoned

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

## 5 DESCRIPTION OF PRACTICE OR PROCESS

### 5.1 Scope

All trail construction beyond normal maintenance must be reviewed by the LTC Chair or other project manager described below to determine whether formal approvals are necessary and/or updates to the trail database will be needed. Projects to be reviewed include new construction, reroutes, trail structures such as bridges or shelters, and remediation on a trail to be closed or abandoned. Projects done either by Trail Conference volunteers or paid Trail Conference crews must be reviewed. No construction work beyond normal maintenance may be started until the project has been reviewed and this approval process followed if deemed necessary.

Formal approval using this process is needed for most new trail construction, many relocations, and some repairs. In general, trail maintenance work covered in the Trail Maintenance Manual does not require approval. A few land managers, e.g. NPS and ATC, supply categorical exclusion lists that document more thoroughly when permits are required. The Appalachian Trail requires ATC approval for most changes. Typically permits are required for construction in wetlands, wilderness areas, or historic sites.

Even if no formal permissions are necessary, any construction which requires changes to the trail database (e.g. new mileage, new structures, or altered maintainer segments) should use this process to ensure that the database is updated.

The process is not needed for small projects such as replacing a few steps or broken boards on a bridge if they don't need land manager approval and don't affect the trail database.

### 5.2 Roles

1. **Project Manager** - The person who fills out the [trail approval form](#) and certifies completion. Normally this is the LTC Chair, but may be a crew leader, supervisor, staff, or other designee. It requires some fluency in filling out web forms.
2. **LTC Chair** - Responsible for the whole project and can override the Project Manager
3. **Land Manager** - Signs for park approval of the project
4. **Regional Program Coordinator** - A Trail Conference Staff Member responsible for a geographic region who facilitates the process.

### 5.3 Step-by-Step Description

#### 5.3.1 Summary of steps

1. Ideas for a trail change comes from multiple sources such as the land manager, Trail Conference volunteers or staff, the Trail Conference Assessment process, or the

general public. A Trail Conference official, typically an LTC Chair, Supervisor, or RPC, initially takes the lead role in moving the idea forward.

2. The LTC Chair should follow the direction of the land manager as to which projects require land manager notification and/or approval. If the LTC Chair determines after review that the land manager does not need to approve the proposed project and that the trail database will not need to be updated, the project may proceed with no further action. Otherwise continue with the following steps.
3. Check that the park(s) involved in the change are adopted by the Trail Conference. If not, start the process of [Park Approval](#) and proceed in parallel if possible. The new park needs to be at least [entered into the database](#) even if not adopted yet.
4. Check that the trail involved in the change is adopted by the Trail Conference. If not, start the process of [Trail Approval](#) and proceed in parallel if possible. The new trail needs to be at least [entered into the database](#) even if not adopted yet. New segments may be marked as Pending Approval so they are ignored for most reporting purposes.
5. Initially the proposed project is discussed by appropriate Trail Conference personnel and the land manager. It is important for the person promoting the project to seek comment from Trail Conference volunteers and staff with expertise relevant to the proposed project during this concept phase. For a major project, it is important to get broad input since it might affect the timing of map publication for the area or a grant proposal might need to be written to obtain funding.
6. The [Trail Design Standards](#) should be consulted to determine the desired classification for the trail or segment and to understand how a trail of the desired classification should look.
7. A specific proposal which is agreeable to both the land manager and the Trail Conference must be developed before any further steps are taken. At that point, the online approval form describing the proposed project should be started. This is done by a project manager chosen by the LTC chair. This may be the person promoting the project initially or someone else. The project manager is responsible for entering details of the project into the online approval form, making sure that all needed approvals are obtained, and finally agreeing that the project has been completed.
8. All necessary approvals are obtained and recorded in the approval form. The necessary approvals depend on the nature of the project and are described below.
9. Once the project manager sees that all approvals have been completed and recorded, work on the project may start.
10. When work is completed, the project manager goes back to the approval form and indicates that the project is complete. The Trail Database must then be updated with the new information. The Regional Program Coordinator is responsible for seeing that the database update is done in a timely way.

### 5.3.2 Summary of needed approvals

- Written approval of the land manager is always required, even if in the form of a simple email. When it is obtained, the project manager should document the approval in the approval form.
  - If the land manager has a form or other clear approval procedure, the Trail Conference may fill out the form or work with the land manager as appropriate to obtain the approval. Sometimes a simple written statement of approval from the land manager is sufficient.
  - In many cases, the land manager is responsible for carrying out steps such as environmental assessments which the approval process specifies. Sometimes the Trail Conference will carry out these steps on behalf of the land manager. In those cases, the land manager should clearly agree in writing about what is to be done and who will pay for it.
  - If the land manager has no established process, the Trail Conference will collaborate with the land manager to define and carry out an appropriate process, typically one similar to that used by other land managers in similar circumstances.
- If the project is part of an MOU or other agreement between the Trail Conference and the land manager, no approvals beyond that of the land manager are needed. The information about the project must, however, be entered into the approval form so that the Trail Database may be properly updated.
- If the land manager or a contractee other than the Trail Conference makes trail changes that affect the Trail Database the LTC Chair should fill out this form.
- Projects that require a budget for either supplies or excess staff time (as determined by the RPC) need budget approval through the Regional Program Coordinator. The project may need to be delayed until funding is approved.
- In a few special cases, additional Trail Conference approvals are needed:
  - Projects spanning multiple LTCs or RTCs need approval by all parties.
  - Projects outside the area normally served by the Trail Conference need Board approval, e.g. west of the Catskills, or the Adirondacks.
- Once the above approvals are complete, the final Trail Conference approval can usually be done by the LTC Chair. Before approving the request, the LTC Chair must clearly understand the changes to be made and the reasons for them and agree that all the required approvals are in place. The LTC Chair must notify their RTC Chair and Regional Program Coordinator about the project approval.

## 5.4 Remediation of a Trail to be Closed or Abandoned

Closure or abandonment is done through the Trail Adoption Process. If permissions are required to remediate a trail prior to closure or abandonment, this Trail Construction Approval Process should be used to assure that the necessary permissions are obtained.

## 5.5 Forms Supporting the Practice or Process

The online form (<http://www.nynjtc.org/node/add/trail-construction-approval>) may be used to implement the trail approval process.

## 6 CONTACTS

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

## 7 EFFECTIVE DATE AND PRIOR PROCESS REPLACED

This process is effective upon Policy Council approval.

This document replaces the old process contained in the Trails Policy approved by the Board on March 27, 2011.

It also re-implements the former forms used for updating the database.

Trail Update Preliminary (March 12, 2011 minor rev. May 12, 2011)	<a href="#">PDF *</a>
Trail Update Completion (March 14, 2011 minor rev. May 12, 2011)	<a href="#">PDF *</a>