

GEORGES HIGHLAND PATH

A project of the GEORGES RIVER LAND TRUST

STANDARDS & PRACTICES

Adopted by the Board of Directors April 27, 2006

Revised and Adopted on August 9, 2013

Purpose of this Document

The *Georges Highland Path: Standards & Practices* is an internal document that provides guidance to staff and volunteers of the Georges River Land Trust. The purpose of this document is to ensure that maintenance of the Georges Highland Path trail system conforms to the same low-impact standards that we have agreed to with our landowner partners. Furthermore, this document provides a framework for long-term management and future expansion of the Georges Highland Path to ensure that the trail system retains the essential elements of its uniqueness. In some cases, however, a trail may be built with a specific purpose (e.g. the Canal Path in Searsmont, the Fisherman's Trail in Union, and the Village Trail in Thomaston) and the defined objectives or existing conditions may warrant slight deviation from the standards and practices in this document.

Philosophy of the Georges Highland Path

The Georges Highland Path is a low-impact conservation footpath created in partnership with cooperating landowners and managed through voluntary **Leave No Trace** stewardship ethics. The goal of this day-use conservation trail is to provide a first-hand connection with the wonderful diversity of natural, cultural and historic features in the Georges River watershed in the belief that such an experience will further the public's commitment to conservation. To achieve this, the trail system shall:

- Respect the natural environment;
- Encourage volunteer stewardship;
- Promote a contemplative experience;
- Nurture the relationship with our partnering landowners who make the trail system possible.

List of Standards for the Georges Highland Path

Standard 1: Partnerships and Collaborations

Standard 2: Environmental Protection

Standard 3: **Leave No Trace**[™] and User Stewardship

Standard 4: Visitor Experience and Conservation ethic

Standard 5: Public Safety

Standard 6: Management and Monitoring

Applicability to other GRLT Trails

The following standards and practices shall apply, to the extent possible, to other freestanding Land Trust trails such as those on conservation properties or built in partnership with communities or groups.

STANDARD 1: PARTNERSHIPS AND COLLABORATION

The Georges Highland Path will be a model for community-based partnerships and collaborations with public and private landowners, towns and other organizations.

Practices

Landowner Partners

1. All outreach to prospective private landowner partners will be coordinated with appropriate GRLT staff members.
2. GRLT will seek permission from landowners in the form of a “handshake agreement,” a non-binding understanding between a landowner and GRLT regarding use and stewardship of the land. GRLT will explain to prospective trail landowners that the agreement can be canceled at any time and will provide each landowner with information about the state liability law (*see* Appendix B & C). Whenever practical and where mutually agreeable with the landowner, GRLT will pursue permanent options such as easements; legal agreements must be approved by the GRLT board.
3. Relationships with landowners will be low key and informal unless otherwise desired by a landowner. While landowners have the final say on use of their land, management for the trails is the responsibility of GRLT and need not involve the owner except:
 - a) when the landowner wants to participate;
 - b) when the landowner has special instructions for use or has a complaint;
 - c) when a major problem arises or a major change in trail location is needed.
4. Landowners will be ~~thanked in writing~~ recognized annually ~~and tendered a token gift when possible~~.
5. Landowners will be considered members of GRLT and provided all benefits of membership (e.g. newsletters, invitations, and discounts).

Other Partners

1. All outreach to towns, as well as to partner groups, will be coordinated with appropriate GRLT staff members.
2. New trails will be planned with the comprehensive plan of the respective community in mind.
3. Before new trails are built, the following steps will be taken in towns:
 - a) in a community that is already familiar with GRLT, the selectmen or town council will be invited to provide input on the trail plans;
 - b) in a community that is not familiar with GRLT, an introduction to the work of the land trust, the GHP and the trail plans will be made, with an invitation for input.
3. GRLT will reach out to landowners proximate to the new trails to communicate the goals of the GHP, to invite their participation and to answer any questions they may have.
4. GRLT will collaborate with neighboring conservation organizations (e.g. Coastal Mountains Land Trust, Medomak Valley Land Trust, and Sheepscot Wellspring Land Alliance) to ensure cooperation near service region boundaries and to share knowledge about public access and stewardship practices.
5. GRLT will cooperate on trails with other watershed stakeholders (e.g. Midcoast Audubon, St. George Chapter of Trout Unlimited) and will seek cooperative relationships with other outdoor recreation user groups (e.g. ATV and snowmobile clubs).

STANDARD 2: ENVIRONMENTAL PROTECTION

The Georges Highland Path will be designed and maintained as a single-lane footpath that respects the natural environment.

Practices

1. Rare species and sensitive habitats will be protected through careful selection of tread route and on-going monitoring. The rarity and fragility of species will be assessed through local knowledge and/or review of data from the Maine Department of Inland Fisheries & Wildlife, the Maine Natural Areas Program, or other professional ecologists.
2. Soils, vegetation and water quality will be protected through careful selection of tread route. Where possible, the trails will be constructed:
 - a. on durable surfaces and high ground, thus minimizing erosion;
 - b. in dry areas (if wet or muddy areas must be crossed, they will be bridged with large stepping-stones or narrow wood walkways); and
 - c. so as not to parallel, at a close distance, a watercourse or water body.
3. Invasive species will be monitored and any significant findings will be reported to the landowner and, if appropriate, to a state agency.
4. Whenever possible and practical, materials used in the construction of new or replacement trail structures will be consistent with the natural environment. Great care will be taken to avoid using materials that contain chemicals known to be toxic to humans, wildlife, and/or other organisms (e.g. arsenic, copper, creosote, etc.).
5. Parking lots will be located and designed to prevent erosion and sedimentation in nearby water bodies, and to minimize soil disturbance and the removal of vegetation.

STANDARD 3: LEAVE NO TRACE AND USER STEWARDSHIP

*The Georges Highland Path will be managed through **Leave No Trace** ethics and user stewardship.*

Practices

1. **Leave No Trace**, low-impact guidelines will encourage volunteer stewardship and appropriate behavior through positive wording on signs and brochures (*see* Appendix D); where specific behaviors are prohibited by landowners, special signs will be posted.
2. Public literature about the GHP will recognize the generosity of landowners and will encourage respect for the privilege of use they have extended.
3. Public literature will encourage users to become more involved with trail stewardship, GRLT and conservation efforts in general.

STANDARD 4: VISITOR EXPERIENCE AND CONSERVATION ETHIC

The Georges Highland Path will be designed to promote a quiet experience, increase understanding about the Georges River watershed and inspire a conservation ethic in those who use the trail.

Practices

1. The GHP will introduce users to natural, historic, scenic, and cultural features of the Georges River watershed and will inspire understanding of the watershed as a whole.
2. The trails will encourage hikers to pause, discover and appreciate the special features around them.
3. As a day-use, community-based trail, the Path will provide the opportunity for residents and visitors to hike as a part of everyday life.
4. ~~GRLT will promote low density use and relative solitude by limiting the size of parking lots. Large groups of 12 or more will be asked to consult with GRLT prior to using the trails.~~ [added the intent of this to Standard 2: Environmental Protection]
5. GRLT will guide Walks & Talks for small groups on the GHP to increase public awareness about and appreciation for the watershed and conservation.

STANDARD 5: PUBLIC SAFETY

The Georges Highland Path will be developed and managed with consideration of safety issues. GRLT recognizes that, because safety depends in part on individual discretion, it can never guarantee complete safety for everyone. Rather, GRLT's efforts will focus on not creating hazards and providing information on specific sites or conditions that may require responsible decision-making.

Practices

1. A topographic map of the local trail route will be posted, and a take-along trail map will be made available, at all trailhead kiosks.
2. The GHP will be marked, on trail-side trees in both directions, with approximately 2-inch by 6-inch blue blazes (Nelson™ blue boundary paint, or similar product designed for tree marking) that are clearly visible from each other. On open ledge outcrops and at appropriate points elsewhere, the trail will be marked with stone cairns spaced at regular intervals.
3. Directional signs will be placed at all intersections.
4. Signs warning of existing hazardous conditions will be posted.
5. During deer hunting season, GRLT will post signs at the trail kiosks informing hunters and hikers of each other's presence; "Trail Closed" signs will be posted at kiosks of trails that are closed during hunting season.
6. Trail infrastructure such as board walkways and bridging will provide equal or greater safety than the existing natural features.
7. The greatest possible visibility for hikers will be provided as they enter and exit the parking lots in their vehicles.
8. State "hiker" signs will alert motorists of pedestrians at major road crossings.

STANDARD 6: MONITORING AND MANAGEMENT

The Georges Highland Path will be developed, managed and monitored by volunteers and staff using the least intrusive practices while promoting safety and environmental protection.

Practices

Environmental & Social Monitoring

1. At the start of the hiking season, volunteers and staff will hike all sections of the GHP to clear the footway, free brook beds of accumulated debris and create a project list for the season. (The same activities, plus clearing water bars and other obstacles created by fall foliage, may be necessary at the end of the season after heavy autumn rains or hurricanes.)
2. All trails and trailheads will be monitored and maintained at least monthly throughout the hiking season by GRLT staff members, or Trail Adopters, who submit stewardship reports noting trail conditions, problem areas and follow-up action required. Adopters are encouraged to:
 - a. Monitor number of cars in the parking lots and number of hikers seen on the trail;
 - b. Check parking lots and trails for litter and carry out any trash;
 - c. Fill trail maps boxes at the kiosks and check conditions of signs;
 - d. Remove structures built by hikers such as lean-tos, fire rings and rock statues;
 - e. Clear the footway of all natural debris.
3. While Adopters have no authority, they will be encouraged to educate hikers about **Leave No Trace** practices and at a minimum, will be asked to greet all users with friendly respect.

Site Management

1. Small trailhead parking lots will be built and maintained using natural materials. The lots will be mowed during the summer season, where appropriate.
2. Trails will be designed and maintained as single-lane footpaths with an approximate tread width of 18 inches and an approximate overhead clearance height of 8 feet; signage will encourage users to walk in single-file. Natural “obstacles” such as trees and rocks will be used to discourage inappropriate use of the path by motorized vehicles. The use of woods roads, snowmobile and ATV trails will be avoided, except when necessary because of the lay of the land or due to landowner requests.
3. The trails will be marked, on trail-side trees in both directions, with 2-inch by 6-inch blue blazes (Nelson™ blue boundary paint, or similar product designed for tree marking) that are clearly visible from each other. Trees will not be stripped of bark, scarred, or otherwise harmed in the blazing process. On open ledge outcrops and at appropriate points elsewhere, the trail will be marked with stone cairns spaced at regular intervals.
4. Locally sourced, natural materials will be used for site management, including large stepping-stones and cedar, hemlock, or spruce planks for bridging, as well as stones for water bars and stairs. Sites will be “hardened” only as a last resort, when necessary for environmental protection or public safety.
5. Kiosks and signs will be kept to a minimum and used only to educate hikers. Necessary structures will have the GRLT “look” as defined by rustic, dark brown stained surfaces (Cabot™ Mission

Brown stain, or similar product) and enamel lettering (Rust-Oleum™ Almond enamel). Standard kiosk size is 3-feet high by 4-feet wide with smaller kiosks employed at low-use trailheads. Laminated signs (on white paper only, due to fading, with the exception of orange paper for caution signs) will be used only at kiosks and for temporary postings along the trails.

6. Construction and maintenance will employ hand tools that are walked into the work area, with use of chain saws and other power tools kept to a minimum. Use of motorized vehicles to access the site will not be permitted, unless it is unavoidable.

Publicity

1. To protect landowner information and encourage low-density use, GRLT will not grant others permission to distribute, in print or via the Internet, detailed trail maps except on a case-by-case basis where GRLT has the full ability to control, edit, or delete this information at its discretion.
2. To educate the public about GRLT's conservation trails, general information about the GHP and trailhead parking will be provided through the GRLT newsletter and website.
3. Publicity about GRLT Walks & Talks on the GHP will be through the GRLT newsletter and Internet resources (e.g. GRLT website, email, and Facebook), as well as through local and statewide newspapers.

APPENDIX A: Source Materials

The following four references will be consulted as guidelines and for specific engineering details in the design, construction, and maintenance of the Georges Highland Path.

Appalachian Trail Design, Construction, and Maintenance
William Birchard, Jr. and Robert Proudman
The Appalachian Trail Conservancy, 2000

Complete Guide to Trail Building and Maintenance
Carl Demrow and David Salisbury
Appalachian Mountain Club, 1998

Natural Surface Trails by Design
Troy Scott Parker
Natureshape, 2004

Maine Trails Manual - Guidelines for Recreational Trail Construction in Maine
Maine Department of Conservation, 2002

APPENDIX B: Sample Letter to Landowner

Date

Name

Address

Dear,

[Individualized introductory paragraph]

The path now being cleared will follow the flagged route, taking care to cross all wetlands in a manner that will not impact water quality or otherwise harm the surroundings. Any changes that may be required will be cleared with you first. The route will be marked by paint blazes in a way that will not harm the trees, and all signs will be submitted for your approval. The path will be checked by a Georges River Land Trust staff member or trained volunteer on a regular basis to assure that it remains clean and in good condition.

As a courtesy, we ask that you give us as much notice as possible of your intention to harvest timber, extract mineral resources, or undertake other activities that may affect the trail. This will allow us to erect signage to alert hikers and adequately plan for re-routing the trail, if necessary.

This letter will serve as a “handshake” agreement that can be modified or terminated at your request. However, I look forward to a long and mutually beneficial partnership in the true sense of the word. I would welcome the chance to walk a section of the new Georges Highland Path with you at any time – I think you will find that it does much to show off your beautiful lands.

My thanks again for the help you have given us. It is a real pleasure to work with you.

Most sincerely,

Jay Astle
Stewardship Program Manager

APPENDIX C: Landowner Liability in the State of Maine

The information applies to individuals, businesses, non-governmental organizations and other non-governmental entities that own, manage, lease, occupy or hold easements on land.

If someone comes onto my land and gets hurt, am I liable?

No, except in rare circumstances. Maine has a strong law to protect landowners, known as the "landowner liability" law (or the "recreational use" statute), Title 14, M.R.S.A. Section 159-A.

If someone uses your land or passes through your land for outdoor recreation or harvesting, you assume no responsibility and incur no liability for injuries to that person or that person's property. You are protected whether or not you give permission to use your land.

If you allow volunteers to maintain or improve your land for recreation or harvesting, you are also protected from liability for injuries to them.

What does the law mean by "outdoor recreation" and "harvesting"?

Outdoor recreational activities include: hunting, fishing, trapping, camping, hiking, sight-seeing, operating snow-traveling and all-terrain vehicles, skiing, hang-gliding, dog sledding, equine activities, boating, sailing, canoeing, rafting, biking, picnicking, swimming and other similar outdoor activities. Recreational activity also includes environmental education and research.

Harvesting includes harvesting of forest, field and marine products such as boughs, fiddleheads, and clams. You are protected even if the person using your land is harvesting the products for sale.

Of course, the law does not protect an employer from liability for injuries suffered by workers in agriculture or forestry, nor does it protect the owner who charges users for the right to harvest, such as "U-pick" operations.

Is the legal protection the same if I post my land "No Trespassing"?

Yes. As a practical matter, your legal protection is the same whether or not the land is posted.

Is it still possible for me to get sued in spite of the landowner liability law?

Yes, but it is very unlikely for two reasons: (1) a person who brings suit and loses because of the landowner liability law must pay the landowner's legal fees and court costs, and (2) the law protects landowners so clearly that there is little opportunity for the injured person to win. In fact, there has not been a single reported successful case against a landowner where the Maine landowner liability law applied.

Does my homeowner's or farmer's insurance provide me with protection from claims?

Your homeowner's or farmer's liability insurance gives you important protection. The insurance company has two responsibilities under most policies. The company has the duty to pay for the costs of defending any lawsuits brought or threatened against you (the "duty to defend"). In addition, if you are found liable

in a lawsuit, the insurer has the duty in most circumstances to pay the damages assessed against you (the "duty to indemnify").

Although each insurance policy has specific coverage and dollar amount limits, most personal injury actions against landowners will fall squarely within the coverage provided by most home and farm liability policies. For all practical purposes, these policies assure landowners of a paid defense of any claims made against them and assure that judgments against them will be satisfied up to the dollar amount of the policy limit.

Be sure to check with your carrier regarding your specific coverage.

Are there situations in which the landowner liability law does not protect me from liability?

Yes, The landowner liability law does not provide protection if a person is injured because of the landowner's "malicious" failure to guard or warn against a dangerous condition. "Malicious" does not mean that you must have a conscious dislike for the person. Malicious intent may be inferred when the landowner has knowledge of a highly dangerous situation, usually man-made, that would have been simple to remedy or warn against and the landowner failed to do so, knowing that people would be likely to be hurt.

Am I still covered by the landowner liability law if I charge a fee to use my land?

Maybe. In general, landowners running commercial recreation or harvesting operations on their land are not protected. For example, commercial campgrounds or ski areas cannot expect to be protected by the law.

But landowners do not automatically lose their protection if they charge fees. The landowner liability law applies to landowners who charge fees for entry as long as the land is not used mainly for commercial recreation or as long as they payment is not for exclusive use, such as club membership or rental for an event or campsite.

A Word of Practical Advice

Use common sense. Try to avoid creating or allowing clearly dangerous situations. For example, if you wish to block a road by hanging a chain, it would be a good idea to flag the chain or take some other action to make it easily visible.

Also, the best advice regarding fees is not to charge them. Otherwise, you may have to prove that the land is not used primarily for commercial recreation and that the user did not gain any exclusive right to use the land.

This information was prepared by the Androscoggin Land Trust with assistance from the Rivers, Trails and Conservation Assistance program of the National Park Service; the trial group at Skelton, Taintor & Abbott, P.A.; Maine Coast Heritage Trust; and many other individuals. The publication was funded through the National Recreational Trails Fund Act (Symms Act). The information contained in this brochure is only a summary. Please consult a lawyer for more detailed information and advice specific to your situation. You may also contact the landowner relations coordinator in the Maine Department of Inland Fisheries and Wildlife who works with landowners and land users on issues of access (207) 287-8091).

APPENDIX D: Leave No Trace Ethics

GEORGES HIGHLAND PATH BROCHURE

Leave No Trace

On the Georges Highland Path

- Stay on the path to minimize erosion and protect plant life.
- Carry out what you carry in.
- Respect wildlife and keep pets leashed.
- Please leave flowers, plants and rocks undisturbed.
- Keep your group size small and be considerate of others.

GEORGES HIGHLAND PATH SIGN

LEAVE NO TRACE

On the Georges Highland Path

The Georges Highland Path is a wonderful public resource made possible by the generosity of private landowners. By following the Leave No Trace tips below, you will return their generosity and help keep the trail in excellent condition.

- **Stay on the trail and walk in single file.** This will help limit erosion and protect fragile mosses and lichens.
- **Carry out *everything* that you carry in with you.** If possible, carry out trash that may have been left behind by others.
- **Observe wildlife from a distance,** especially during mating and nesting periods.
- **Keep pets leashed** to respect wildlife and other hikers.
- **Please leave flowers, plants and rocks undisturbed.**
- **Keep your group size small and be considerate of others.**
- **Plan your hikes to coincide with times of low-use** to avoid crowding. Try hiking during early mornings or weekdays.

Thank you for your help to care for the land we share with cooperating landowners. Your thoughtfulness is a great way to say, "thank you!"