

# Eastern Trail Management Plan

## Prepared By

## The Eastern Trail Management District

### I. Purpose

The purpose of this document is to describe the procedures used by the Eastern Trail Management District for the construction, management and maintenance of the Eastern Trail.

### II. Responsible Parties

#### A. Eastern Trail Management District (ETMD)

The ETMD will authorize, coordinate and oversee all construction and maintenance projects occurring on the Eastern Trail. This will include both contracted (paid) and volunteer efforts.

#### B. Eastern Trail Municipalities

The municipalities of Kittery, Eliot, South Berwick, North Berwick, Wells, Kennebunk, Arundel, Biddeford, Saco, Old Orchard Beach, Scarborough and South Portland each contain a portion of the Eastern Trail. Each has the opportunity to maintain membership status with the ETMD for the purpose of governing the Trail.

A municipality may be asked by the ETMD to assist with construction, maintenance or enforcement of the Eastern Trail

In accordance with Article 9 of the Membership Agreement for Eastern Trail Management District, if the ETMD dissolves or it unable to carryout its duties, responsibility for the maintenance and management of the Trail reverts to the municipalities. See the below excerpt for the Membership Agreement dated 11/8/00

#### **ARTICLE 9 - DURATION**

*9.1 This Agreement shall be in effect from the time that three municipalities sign it as outlined in Section 8.1 until December 31, 2021 or until the members no longer have maintenance and enforcement responsibilities for the Eastern Trail, whichever comes first. Or it may be terminated sooner by the participation of fewer than three members or by dissolution.*

*9.2 If the Eastern Trail Management District dissolves, responsibility for trail management and maintenance of each section of the trail shall revert to the municipality in which the trail section is located.*

### **C. Eastern Trail Alliance (ETA)**

The ETA will assist The ETMD with projects related to the maintenance and management of the Eastern Trail. Each project authorized by the ETMD and agreed to by the ETA is based on the understanding that the ETA can only do what the volunteers are able and that it can financially afford.

### **D. Utility Companies**

The Eastern Trail corridor contains utility lines at different points for the delivery of gas, power and water and the transportation of sewage. The ETMD will work with each utility company to insure that construction and operation of the trail does not conflict with the safe operation of that utility line.

## **III. Insurance/Protection from Liability**

### **A. General Liability Insurance**

The ETMD shall maintain a one million/ three million general liability policy.

### **B. Protection Under Statute**

Maine Tort Claims Act [ ] provides protection and limitation for municipal members of the ETMD.

Landowner Liability Act [ ] provides protection to landowners for the use of their land by the general public for recreational purposes.

## **IV. Engineering and Construction**

### **A. Guidelines/Standards**

1. Construction of the trail will meet all applicable local, state and Federal guidelines and standards.
2. Design of the trail will follow the American Association of State and Highway Transportation Officials (AASHTO).
3. ADA compliance will occur unless reshaping of existing grades and the location of existing structures make it prohibitive.
4. Pilot or time-limited easements may require that sections of the Trail are not built to final specifications and therefore standards/guidelines. The ETMD will go back and bring such sections up to final specifications and compliance once a long-term easement has been secured.

### **B. Qualification of Engineering and Construction Firms**

1. The ETMD will only contract with qualified engineering and construction firms for the design and construction of the Trail. Qualifications will be determine by following Maine Department of Transportation Consultant Procedures.

2. The ETMD will require a minimum of 1 million/3 million general liability insurance to protect the ETMD in the event of design, construction or other problems and liabilities associated with the engineering and construction of a project.

### **C. Municipal Forces**

The ETMD may contract with municipal public works or highway departments and engineering departments to accomplish work on the Trail.

## **V. Signage**

### **A. Permanent Signs**

The following signs (and others) will be installed as part of the construction and operation of the trail. The design and type of signs will be consistent throughout the entire Trail. The installation and replacement of trail signs will be the responsibility of the ETMD.

1. Permanent advanced warning signs notifying motorists of an approaching trail crossing will be installed as part of the original project.
2. Trail-user signs describing rules, distances, road crossings, landmarks, points of interest, etc., will be installed as part of construction and operation of the trail.
3. Utility signage deemed appropriate or necessary by each utility along the trail corridor. Installation and maintenance of such signs are the responsibility of each utility company unless otherwise agreed upon by the ETMD and utility company.

### **B. Temporary Signs**

1. Trail closure signs notifying users of section closings at all trail entries. The signage will consist of the time, date, reason for closure, expected date of reopening and ETMD contact information.
2. Alternate route signs shall direct users around any closures.
3. Construction signs notifying users or the general public of construction activity will be included as part of any construction process.
4. Maintenance signs notifying users and the general public that maintenance work is being performed on the trail.
5. Warning signs notifying users of unsafe conditions along the trail.

## **VI. Emergency Response**

1. Emergencies that need Police/Fire/Rescue, 911 should be called. All municipalities along the trail have 911. Access will be provided to all sections of the trail for emergency vehicles.
2. Mutual Aid Agreements will be worked out between municipalities to insure that all sections of the trail are covered in the event of an emergency.

3. The ETMD will work with local emergency response agencies to insure that the ETMD is notified and/or provided with a report when an emergency situation has occurred on the trail.

## **VII. Non-Emergency Response**

Non-Emergency issues, such as damage to the trail, misuse, etc should be reported to the ETMD. Trail signage will include a contact number to report such issues.

## **VIII. Enforcement**

Unauthorized trail usage or activities such as the use of motorized vehicles, vandalism, use of excessive speed or other reckless behavior should be reported to the local police agency and the ETMD.

### **A. Policing**

1. Agreements with local law enforcement agencies will be developed to insure regular policing of trail sections and trail heads.
2. Signage will provide trail users with a phone number to report unauthorized trail usage or activities to the ETMD.
3. Trail neighbors (abutters) will be provided with a phone number to report unauthorized usage to the ETMD. Usage causing immediately damage to property or harm to individuals should be reported directly to the police.
4. Volunteer policing programs will be developed with trail user groups to monitor trail conditions and activities. The ETA will be the primary user group assisting the ETMD with such duties.
5. The ETMD will work with utility companies to proactively decrease unauthorized use and property damage. Existing efforts by utility companies will be continued when such efforts do not impact the safe operation of the trail and have some level of success at deterring behavior.

### **B. Physical Barriers**

1. Gates will be used in some areas to control access by motorized vehicles. Gates may not deter utility, emergency or maintenance vehicles from gaining immediate access to the trail.
2. Removable balustrades will be used at all road crossings to control access to the trail. Balustrades may not deter utility, emergency or maintenance vehicles from gaining immediate access to the trail.
3. Boulders will be used to block access points for unauthorized trail use [ATV usage, etc]. Placement of boulders should consider safety of authorized users and level of success placement of boulder(s) would provide.
4. Fencing will be considered to block access points for unauthorized trail use. It will also be considered when trail usage is negatively impacting abutting property.

## **IX. Trail Section Closure**

It will be necessary to close portions of the trail to perform trail maintenance and utility maintenance.

### **A. Emergency Closing**

Emergency closings will only occur in an actual emergency along the trail or involving a utility line.

1. No advance public warning is given.
2. Trail access points are blocked.
3. Signs are erected as soon as possible

### **B. Scheduled Closing**

Regular maintenance tasks for both the utility lines and the trail should be scheduled in advance.

1. Signage explaining the closure is posted in advance as outline in Section \_\_\_\_\_
2. Signage directing users to the alternate route should be posted
3. The Eastern Trail Website will post closures and alternate routes as soon as possible

## **X. Maintenance**

The ETMD will oversee all maintenance projects on the trail. The ETMD will utilize contractors, municipal public works or highway departments, as outline under Section IV and volunteers to accomplish maintenance projects.

Maintenance to include, but not limited to:

1. Condition analysis
2. Keep drainage, culverts, catch basins, and ditches free of obstruction
3. Signage repair/replacement/update when necessary
4. Placement and removal of temporary signs when trail is closed and reopened for any reason
5. Placement and removal of seasonal signs
6. Spot grading when necessary (with rakes or other grading tools)
7. Spot filling when necessary (material must be of the same quality as original surface material)
8. Brush and blow-down removal (clearing of brush and tree trimming)
9. Mowing (estimated once or twice a year)
10. Snow removal from Trailhead Parking Areas