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H. R. 5466

One Hundred Ninth Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Tuesday, the third day of January, two thousand and six

An Act

To amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Captain John Smith Chesapeake National Historic Trail Designation Act".

SEC. 2. ADDITION TO NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

"(25) CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL.—

"(A) IN GENERAL.—The John Smith Chesapeake National Historic Trail, a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, and Delaware, and in the District of Columbia, that traces the 1607–1609 voyages of Captain John Smith to chart the land and waterways of the Chesapeake Bay, as generally depicted on the map entitled 'Captain John Smith Chesapeake National Historic Trail Map MD, VA, DE, and DC', numbered P–16/8000 (CAJO), and dated May 2006.

"(B) MAP.—The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

"(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior—

"(i) in coordination with—

"(I) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961); and

"(II) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267); and

"(ii) in consultation with—

"(I) other Federal, State, tribal, regional, and local agencies; and

"(II) the private sector.

"(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.".

SEC. 3. CHANGE IN AUTHORIZATION.

Section 4 of the Act of July 3, 1930 (16 U.S.C. 81f), is amended in the first sentence by striking "10,472,000" and inserting "8,572,000".

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.

II

109TH CONGRESS
2D SESSION

S. 2568

To amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail.

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2006

Mr. SARBANES (for himself, Mr. WARNER, Mr. ALLEN, Ms. MIKULSKI, Mr. BIDEN, and Mr. CARPER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Captain John Smith Chesapeake National Historic Trail Designation Act".

SEC. 2. ADDITION TO NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

"(25) CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL.—

"(A) IN GENERAL.—The Captain John Smith Chesapeake National Historic Trail, a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, Pennsylvania, and Delaware, and in the District of Columbia, that traces the 1607 and 1608 voyages of Captain John Smith to chart the land and waterways of the Chesapeake Bay.

"(B) MAP.—A map generally depicting the trail shall be on file and available for public inspection in the appropriate offices of the National Park Service.

"(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior—

"(i) in coordination with—

"(I) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961); and

"(II) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267); and

"(ii) in consultation with—

"(I) other Federal, State, tribal, regional, and local agencies; and

"(II) the private sector.

"(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.".

○

120 STAT. 2882 PUBLIC LAW 109–418—DEC. 19, 2006

Public Law 109–418
109th Congress

An Act

Dec. 19, 2006
[H.R. 5466]

To amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Captain John Smith Chesapeake National Historic Trail Designation Act.
16 USC 1241 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Captain John Smith Chesapeake National Historic Trail Designation Act".

SEC. 2. ADDITION TO NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

"(25) CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL.—

State listing.
District of Columbia.

"(A) IN GENERAL.—The John Smith Chesapeake National Historic Trail, a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, and Delaware, and in the District of Columbia, that traces the 1607–1609 voyages of Captain John Smith to chart the land and waterways of the Chesapeake Bay, as generally depicted on the map entitled 'Captain John Smith Chesapeake National Historic Trail Map MD, VA, DE, and DC', numbered P–16/8000 (CAJO), and dated May 2006.

"(B) MAP.—The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

"(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior—

"(i) in coordination with—

"(I) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961); and

"(II) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267); and

"(ii) in consultation with—

"(I) other Federal, State, tribal, regional, and local agencies; and

"(II) the private sector.

"(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.".

SEC. 3. CHANGE IN AUTHORIZATION.

Section 4 of the Act of July 3, 1930 (16 U.S.C. 81f), is amended in the first sentence by striking "10,472,000" and inserting "8,572,000".

Approved December 19, 2006.

LEGISLATIVE HISTORY—H.R. 5466:

CONGRESSIONAL RECORD, Vol. 152 (2006):
Dec. 5, considered and passed House.
Dec. 7, considered and passed Senate.

Calendar No. 552

109TH CONGRESS 2d Session | SENATE | REPORT 109–309

CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL DESIGNATION ACT

JULY 31, 2006.—Ordered to be printed

Mr. DOMENICI, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 2568]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2568) to amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

On page 2, strike lines 3 through 16 and insert the following:

> "(A) IN GENERAL.—The Captain John Smith Chesapeake National Historic Trail, a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, and Delaware, and in the District of Columbia, that traces the 1607–1609 voyages of Captain John Smith to chart the land and waterways of the Chesapeake Bay, as generally depicted on the map entitled "Captain John Smith Chesapeake National Historic Trail Map MD, VA, DE, and DC," numbered P–16/80000 (CAJO), and dated May 2006.
>
> "(B) MAP.—The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.".

49–010

Purpose of the Measure

The purpose of S. 2568 is to amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail.

Background and Need

Captain John Smith, a soldier of fortune who had served in western and central Europe and the near East, became perhaps the most renowned member of the party that founded the first permanent English settlement in North America at Jamestown, Virginia. Smith and the Virginia Company arrived at the site along the James River, Virginia, in 1607. During the next two years, Smith traveled more than 3,000 miles through Chesapeake Bay and its tributaries searching for food, trade items, and the fabled Northwest Passage to the Pacific Ocean. During his journeys, he made contact with several of the American Indian tribes that inhabited the area. Based on his journeys, Smith created the first detailed map of Chesapeake Bay. Smith eventually served as President of the Jamestown colony before returning to England to publish a popular account of his travels.

According to the National Park System Advisory Board, the body statutorily charged with making recommendations to the Secretary of the Interior regarding historic trails, Smith's journey through the Chesapeake was a significant event in the history of what would become the United States. Smith's maps and journals became the foundation for English and European settlement and trade in the area during the early seventeenth century. The journals of Smith and his companions, though clouded by what we would today consider a European bias, provide the first written record of the American Indian cultures that inhabited the Mid-Atlantic States, cultures that would all but disappear with the coming of the Europeans.

Congress authorized the Secretary of the Interior to study the suitability and feasibility of designating Smith's routes through the Chesapeake and its tributaries as a national historic trail. Although the study has not been completed, the Advisory Board's positive recommendation is an important component of the ultimate recommendation by the Secretary. S. 2568 would designate Smith's routes as the Captain John Smith Chesapeake National Historic Trail.

Legislative History

S. 2568 was introduced by Senators Sarbanes, Warner, Allen, Mikulski, Biden, and Carper on April 6, 2006. Senators Santorum and Specter are also cosponsors. The Subcommittee on National Parks held a hearing on S. 2568 on May 16, 2006. At the business meeting on May 24, 2006, the Committee on Energy and Natural Resources ordered S. 2568, as amended, favorably reported.

Committee Recommendation

The Committee on Energy and Natural Resources, in open business session on May 24, 2006, by a unanimous voice vote of a

quorum present, recommends that the Senate pass S. 2568, if amended as described herein.

COMMITTEE AMENDMENT

During consideration of S. 2568, the Committee adopted an amendment to S. 2568. The amendment adds a reference to a map.

SECTION-BY-SECTION ANALYSIS

Section 1 titles the Act the "Captain John Smith Chesapeake National Historic Trail Designation Act."

Section 2 amends section 5(a) of the National Trails System Act by adding the following:

Section 25(A) states that the trail would trace the 1607–1609 voyages of Captain John Smith through Chesapeake Bay and its tributaries in the States of Virginia, Maryland, and Delaware, and in the District of Columbia.

The Committee understands that Smith's expeditions reached the mouth and falls of the Susquehanna River but did not venture into what is now Pennsylvania. However, Susquehannock leaders from present-day Pennsylvania met and traded with Smith. The Committee therefore encourages the National Park Service through the Rivers and Trails Program and the National Trails Program to work closely with the State of Pennsylvania to explore connecting or side water trails where appropriate to provide additional points of public access, interpretation and link existing water trails on the Susquehanna River to the national historic trail.

Paragraph (B) requires the National Park Service to maintain a copy of the trail map and make the map available to the public.

Paragraph (C) requires the Secretary of the Interior to administer the trail in coordination with two existing Federal programs, the Chesapeake Bay Gateways and Watertrails Network (established by Title V of Public Law 105–321) and the Chesapeake Bay Program (authorized by section 117 of the Federal Water Pollution Control Act, as amended). The Secretary is also required to consult with public and private organizations and entities.

Paragraph (D) prohibits the Secretary from acquiring non-Federal land for the Trail without the owner's consent.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 7, 2006.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2568, the Captain John Smith Chesapeake National Historic Trail Designation Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

DONALD B. MARRON,
Acting Director.

Enclosure.

S. 2568—Captain John Smith Chesapeake National Historic Trail Designation Act

S. 2568 would amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail as a National Historic Trail. The trail consists of a series of water routes extending about 3,000 miles along the Chesapeake Bay and its tributaries that trace the voyages of Captain John Smith. The National Park Service (NPS) would administer the trail and coordinate the efforts of public and private entities on trail administration, planning, development, and maintenance.

Based on information provided by the NPS and assuming the availability of appropriate funds, CBO estimates that establishing, developing, and administering the proposed historic trail would cost about $2 million over the 2007–2011 period. Of this amount, we estimate that the NPS would spend a total of $400,000 over the next two years to prepare a comprehensive management plan for the trail. In addition, we estimate that the NPS would spend about $500,000 annually beginning in 2009 to maintain the trail, develop access sites, and install interpretive signs.

S. 2568 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2568. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2568, as ordered reported.

EXECUTIVE COMMUNICATIONS

The views of the Administration on S. 2568 were included in testimony received by the Committee at a hearing on the bill on May 16, 2006. This testimony follows:

STATEMENT OF STEPHEN MARTIN, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to appear before you today to present the views of the Department

of the Interior on S. 2568, a bill to amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail.

The Department is currently completing the study authorized by Public Law 109–54 to determine the feasibility of designating this trail. We request that the committee defer action on the bill until the study is completed. To date, we have not encountered any information that would lead us to believe that the trail fails to meet the required criteria for designation as a national historic trail.

S. 2568 would designate the Captain John Smith Chesapeake National Historic Trail as a component of the National Trails System. The trail would be administered by the Department of the Interior in coordination with the Chesapeake Bay Gateways and Watertrails Network and the Chesapeake Bay Program. In addition, the Secretary of the Interior would consult with other Federal, State, Tribal, regional, and local agencies, and the private sector in the administration of the trail. No land could be acquired for the trail outside the boundary of any Federally managed area without the consent of the owner of the land.

As we approach the 400th anniversary of the Jamestown Settlement and the anniversary in 2007 of the beginning of Captain John Smith's explorations, the conduct of our present study is most timely. The proposed trail would follow a series of routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, Pennsylvania, and Delaware, and the District of Columbia that trace Captain John Smith's voyages charting the land and waterways of the Chesapeake Bay and its tributaries.

Captain John Smith explored the Chesapeake Bay and its tributaries in a series of voyages and travels from 1607 through 1609, while executing his company's directives to search for a "northwest passage" to the Pacific Ocean. Smith's two major explorations occurred in the summer of 1608, each leaving from Jamestown, Virginia. Between the two voyages, Smith and a small crew traversed the entire length of the Chesapeake Bay, explored the shoreline of the lower half of the Eastern Shore, and ventured into the major tributaries along the western shore of the bay. Smith had extensive interactions with Native Americans and recorded significant information about these peoples and the general Chesapeake environment in his book published in 1612. He also made one of the first and most detailed maps of the Chesapeake Bay. In Smith's words "heaven and earth never agreed better to frame a more perfect place for man's habitation."

Four hundred years later, the Chesapeake Bay's basic geography remains relatively similar to Smith's time, but much else has changed. More than 16 million people live in the Chesapeake Bay watershed, with the densest concentrations at locations adjacent to where Smith traveled (Washington, DC, Baltimore, MD and the greater Norfolk/Hampton Roads area in VA). Human uses of the bay re-

gion have caused significant impacts on the Chesapeake environment and the Bay itself. The establishment of a national historic trail traversing the routes of John Smith's early voyages would likely provide increased public knowledge of the history, and sensitivity to the valuable resources of the Chesapeake Bay, as well as increased recreational opportunities.

The National Park Service enjoys a close association with the Chesapeake Bay and local governments and organizations in the region through the Gateways and Water Trails Network, authorized by the Chesapeake Bay Initiative Act of 1998. This partnership system of 147 designated Chesapeake Bay Gateways serves to connect the American public with the resources and themes of the nationally significant Chesapeake Bay. Through its coordination of the network, the National Park Service is also authorized to provide technical and financial assistance to gateways for enhancing interpretation, improving public access, and stimulating citizen involvement in conservation and restoration efforts. All of these efforts would complement the proposed trail. S. 2568 provides for coordination of the trail with the Chesapeake Gateways and Water Trails Network and the Chesapeake Bay Program.

Our study of the feasibility of designating the Captain John Smith Chesapeake National Historic Trail is nearing conclusion. In March 2006, the National Park System Advisory Board found the routes of John Smith's voyages to be nationally significant, a major requirement in the finding of national trail feasibility. The Advisory Board concluded that the trail is of national significance for its association with the following themes: (1) Ethnic Heritage (American Indians); (2) Exploration and Settlement; and (3) Commerce and Trade.

We expect to issue a draft report for public comment no later than August of this year. In light of this schedule, we would request that the committee defer action so that the study may be completed and the public given an opportunity to comment on any proposed designation alternatives. Our receipt of 167 letters regarding the study since it began indicates considerable public interest in trail designation.

The Department wishes to recognize the generous support of the State of Maryland, Commonwealth of Virginia, and the Chesapeake Bay Commission during the conduct of this study.

This concludes my prepared testimony, Mr. Chairman. I would be pleased to answer any questions you or the committee might have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by S. 2568, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in

italic, existing law in which no change is proposed is shown in roman):

PUBLIC LAW 90–543—OCT. 2, 1968

AN ACT To establish a national trails system, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This Act may be cited as the "National Trails System Act".

* * * * * * *

NATIONAL SCENIC AND NATIONAL HISTORICAL TRAILS

SEC. 5. (a) National scenic and national historic trails shall be authorized and designated only by an Act of Congress. There are hereby established the following National Scenic and National Historic Trails:

* * * * * * *

(25) CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL.—

(A) IN GENERAL.—The Captain John Smith Chesapeake National Historic Trail, a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, and Delaware, and in the District of Columbia, that traces the 1607–1609 voyages of Captain John Smith to chart the land and waterways of the Chesapeake Bay, as generally depicted on the map entitled "Captain John Smith Chesapeake National Historic Trail Map MD, VA, DE, and DC", numbered P–16/80000 (CAJO), and dated May 2006.

(B) MAP.—The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior—

(i) in coordination with—

(I) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961); and

(II) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267); and

(ii) in consultation with—

(I) other Federal, State, tribal, regional, and local agencies; and

(II) the private sector.

(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without

the consent of the owner of the land or interest in the land.

○

THE NATIONAL TRAILS SYSTEM ACT
(P.L. 90-543, as amended through P.L. 111-11, March 30, 2009)
(also found in *United States Code*, Volume 16, Sections 1241-1251)

AN ACT

To establish a national trails system, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION I. This Act may be cited as the "National Trails System Act".

STATEMENT OF POLICY

SEC. 2. [16USC1241]

(a) In order to provide for the ever-increasing outdoor recreation needs of an expanding population and in order to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas and historic resources of the Nation, trails should be established (i) primarily, near the urban areas of the Nation, and (ii) secondarily, within scenic areas and along historic travel routes of the Nation which are often more remotely located.

(b) The purpose of this Act is to provide the means for attaining these objectives by instituting a national system of recreation, scenic and historic trails, by designating the Appalachian Trail and the Pacific Crest Trail as the initial components of that system, and by prescribing the methods by which, and standards according to which, additional components may be added to the system.

(c) The Congress recognizes the valuable contributions that volunteers and private, nonprofit trail groups have made to the development and maintenance of the Nation's trails. In recognition of these contributions, it is further the purpose of this Act to encourage and assist volunteer citizen involvement in the planning, development, maintenance, and management, where appropriate, of trails.

NATIONAL TRAILS SYSTEM

SEC. 3. [16USC1242] (a) The national system of trails shall be composed of the following:

(l) National recreation trails, established as provided in section 4 of this Act, which will provide a variety of outdoor recreation uses in or reasonably accessible to urban areas.
(2) National scenic trails, established as provided in section 5 of this Act, which will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass. National scenic trails may be located so as to represent desert, marsh, grassland, mountain, canyon, river, forest, and other areas, as well as landforms which exhibit significant characteristics of the physiographic regions of the Nation.
(3) National historic trails, established as provided in section 5 of this Act, which will be extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historic significance. Designation of such trails or routes shall be continuous, but the established or developed trail, and the acquisition thereof, need not be continuous onsite. National historic trails shall have as their purpose the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment. Only those selected land and water based components of a historic trail which are

on federally owned lands and which meet the national historic trail criteria established in this Act are included as Federal protection components of a national historic trail. The appropriate Secretary may certify other lands as protected segments of an historic trail upon application from State or local governmental agencies or private interests involved if such segments meet the national historic trail criteria established in this Act and such criteria supplementary thereto as the appropriate Secretary may prescribe, and are administered by such agencies or interests without expense to the United States.
(4) Connecting or side trails, established as provided in section 6 of this Act, which will provide additional points of public access to national recreation, national scenic or national historic trails or which will provide connections between such trails.

The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations, shall establish a uniform marker for the national trails system.

(b) For purposes of this section, the term 'extended trails' means trails or trail segments which total at least one hundred miles in length, except that historic trails of less than one hundred miles may be designated as extended trails. While it is desirable that extended trails be continuous, studies of such trails may conclude that it is feasible to propose one or more trail segments which, in the aggregate, constitute at least one hundred miles in length.

NATIONAL RECREATION TRAILS

SEC. 4. [16USC1243]

(a) The Secretary of the Interior, or the Secretary of Agriculture where lands administered by him are involved, may establish and designate national recreation trails, with the consent of the Federal agency, State, or political subdivision having jurisdiction over the lands involved, upon finding that--

(i) such trails are reasonably accessible to urban areas, and, or
(ii) such trails meet the criteria established in this Act and such supplementary criteria as he may prescribe.

(b) As provided in this section, trails within park, forest, and other recreation areas administered by the Secretary of the Interior or the Secretary of Agriculture or in other federally administered areas may be established and designated as "National Recreation Trails" by the appropriate Secretary and, when no Federal land acquisition is involved --

(i) trails in or reasonably accessible to urban areas may be designated as "National Recreation Trails" by the appropriate Secretary with the consent of the States, their political subdivisions, or other appropriate administering agencies;
(ii) trails within park, forest, and other recreation areas owned or administered by States may be designated as "National Recreation Trails" by the appropriate Secretary with the consent of the State; and
(iii) trails on privately owned lands may be designated 'National Recreation Trails' by the appropriate Secretary with the written consent of the owner of the property involved.

NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS

SEC. 5. [16USC1244] (a) National scenic and national historic trails shall be authorized and designated only by Act of Congress. There are hereby established the following National Scenic and National Historic Trails:

(1) The Appalachian National Scenic Trail, a trail of approximately two thousand miles extending generally along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia. Insofar as practicable, the right-of-way for such trail shall comprise the trail depicted on the maps identified as "Nationwide System of Trails, Proposed

Appalachian Trail, NST-AT-101-May 1967", which shall be on file and available for public inspection in the office of the Director of the National Park Service. Where practicable, such rights-of-way shall include lands protected for it under agreements in effect as of the date of enactment of this Act, to which Federal agencies and States were parties. The Appalachian Trail shall be administered primarily as a footpath by the Secretary of the Interior, in consultation with the Secretary of Agriculture.

(2) The Pacific Crest National Scenic Trail, a trail of approximately two thousand three hundred fifty miles, extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross, following the route as generally depicted on the map, identified as "Nationwide System of Trails, Proposed Pacific Crest Trail, NST-PC-103-May 1967" which shall be on file and available for public inspection in the office of the Chief of the Forest Service. The Pacific Crest Trail shall be administered by the Secretary of Agriculture, in consultation with the Secretary of the Interior.

(3) The Oregon National Historic Trail, a route of approximately two thousand miles extending from near Independence, Missouri, to the vicinity of Portland, Oregon, following a route as depicted on maps identified as 'Primary Route of the Oregon Trail 1841-1848', in the Department of the Interior's Oregon Trail study report dated April 1977, and which shall be on file and available for public inspection in the office of the Director of the National Park Service. The trail shall be administered by the Secretary of the Interior. No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than 1/4 mile on either side of the trail.

(4) The Mormon Pioneer National Historic Trail, a route of approximately one thousand three hundred miles extending from Nauvoo, Illinois, to Salt Lake City, Utah, following the primary historical route of the Mormon Trail as generally depicted on a map, identified as, 'Mormon Trail Vicinity Map, figure 2' in the Department of the Interior Mormon Trail study report dated March 1977, and which shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior. No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than 1/4 mile on either side of the trail.

(5) The Continental Divide National Scenic Trail, a trail of approximately thirty-one hundred miles, extending from the Montana-Canada border to the New Mexico-Mexico border, following the approximate route depicted on the map, identified as 'Proposed Continental Divide National Scenic Trail' in the Department of the Interior Continental Divide Trail study report dated March l977 and which shall be on file and available for public inspection in the office of the Chief, Forest Service, Washington, D.C. The Continental Divide National Scenic Trail shall be administered by the Secretary of Agriculture in consultation with the Secretary of the Interior. Notwithstanding the provisions of section 7(c), the use of motorized vehicles on roads which will be designated segments of the Continental Divide National Scenic Trail shall be permitted in accordance with regulations prescribed by the appropriate Secretary. No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than 1/4 mile on either side of the trail.

(6) The Lewis and Clark National Historic Trail, a trail of approximately three thousand seven hundred miles, extending from Wood River, Illinois, to the mouth of the Columbia River in Oregon, following the outbound and inbound routes of the Lewis and Clark Expedition depicted on maps identified as, 'Vicinity Map, Lewis and Clark Trail' study report dated April l977. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior. No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than 1/4 mile on either side of the trail.

(7) The Iditarod National Historic Trail, a route of approximately two thousand miles extending from Seward, Alaska, to Nome, Alaska, following the routes as depicted on maps identified as 'Seward-Nome Trail', in the Department of the Interior's study report entitled 'The Iditarod Trail (Seward-Nome Route) and other Alaskan Gold Rush Trails' dated September l977. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior. No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than 1/4 mile on either side of the trail.
(8) The North Country National Scenic Trail, a trail of approximately thirty-two hundred miles, extending from eastern New York State to the vicinity of Lake Sakakawea in North Dakota, following the approximate route depicted on the map identified as 'Proposed North Country Trail-Vicinity Map' in the Department of the Interior 'North Country Trail Report', dated June l975. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior. No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land.
(9) The Overmountain Victory National Historic Trail, a system totaling approximately two hundred seventy-two miles of trail with routes from the mustering point near Abingdon, Virginia, to Sycamore Shoals (near Elizabethton, Tennessee); from Sycamore Shoals to Quaker Meadows (near Morganton, North Carolina); from the mustering point in Surry County, North Carolina, to Quaker Meadows; and from Quaker Meadows to Kings Mountain, South Carolina, as depicted on the map identified as Map 3--Historic Features--l780 in the draft study report entitled 'Overmountain Victory Trail' dated December l979. The map shall be on file and available for public inspection in the Office of the Director, National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.
(l0) The Ice Age National Scenic Trail, a trail of approximately one thousand miles, extending from Door County, Wisconsin, to Interstate Park in Saint Croix County, Wisconsin, generally following the route described in "On the Trail of the Ice Age--A Hiker's and Biker's Guide to Wisconsin's Ice Age National Scientific Reserve and Trail", by Henry S. Reuss, Member of Congress, dated l980. The guide and maps shall be on file and available for public inspection in the Office of the Director, National Park Service, Washington, District of Columbia. Overall administration of the trail shall be the responsibility of the Secretary of the Interior pursuant to section 5(d) of this Act. The State of Wisconsin, in consultation with the Secretary of the Interior, may, subject to the approval of the Secretary, prepare a plan for the management of the trail which shall be deemed to meet the requirements of section 5(e) of this Act. Notwithstanding the provisions of section 7(c), snowmobile use may be permitted on segments of the Ice Age National Scenic Trail where deemed appropriate by the Secretary and the managing authority responsible for the segment. No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land.
(11) The Potomac Heritage National Scenic Trail, a corridor of approximately seven hundred and four miles following the route as generally depicted on the map identified as 'National Trails System, Proposed Potomac Heritage Trail' in 'The Potomac Heritage Trail', a report prepared by the Department of the Interior and dated December l974, except that no designation of the trail shall be made in the State of West Virginia. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Washington, District of Columbia. The trail shall initially consist of only those segments of the corridor located within the exterior boundaries of federally administered areas. The trail shall be administered by the Secretary of the Interior. No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land.
(12) The Natchez Trace National Scenic Trail, a trail system of approximately six hundred and ninety-four miles extending from Nashville, Tennessee, to Natchez, Mississippi, as depicted on the map entitled 'Concept Plan, Natchez Trace Trails Study' in 'The Natchez Trace', a report prepared by the Department of the Interior and dated August l979. The map shall be on file and available for public inspection in the office of the Director of the National Park

Service, Department of the Interior, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.
(l3) The Florida National Scenic Trail, a route of approximately thirteen hundred miles extending through the State of Florida as generally depicted in 'The Florida Trail', a national scenic trail study draft report prepared by the Department of the Interior and dated February l980. The report shall be on file and available for public inspection in the office of the Chief of the Forest Service, Washington, District of Columbia. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Florida Trail except with the consent of the owner thereof. The Secretary of Agriculture may designate lands outside of federally administered areas as segments of the trail, only upon application from the States or local governmental agencies involved, if such segments meet the criteria established in this Act and are administered by such agencies without expense to the United States. The trail shall be administered by the Secretary of Agriculture.
(l4) The Nez Perce National Historic Trail, a route of approximately eleven hundred and seventy miles extending from the vicinity of Wallowa Lake, Oregon, to Bear Paw Mountain, Montana, as generally depicted in 'Nez Perce (Nee-Me-Poo) Trail Study Report' prepared by the Department of Agriculture and dated March l982. The report shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Washington, District of Columbia. The trail shall be administered by the Secretary of Agriculture. So that significant route segments and sites recognized as associated with the Nez Perce Trail may be distinguished by suitable markers, the Secretary of Agriculture is authorized to accept the donation of suitable markers for placement at appropriate locations. Any such markers associated with the Nez Perce Trail which are to be located on lands administered by any other department or agency of the United States may be placed on such lands only with the concurrence of the head of such department or agency. No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than 1/4 mile on either side of the trail.
(15) The Santa Fe National Historic Trail, a trail of approximately 950 miles from a point near Old Franklin, Missouri, through Kansas, Oklahoma, and Colorado to Santa Fe, New Mexico, as generally depicted on a map entitled "The Santa Fe Trail" contained in the Final Report of the Secretary of the Interior pursuant to subsection (b) of this section, dated July l976. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Santa Fe Trail except with the consent of the owner thereof. Before acquiring any easement or entering into any cooperative agreement with a private landowner with respect to the trail, the Secretary shall notify the landowner of the potential liability, if any, for injury to the public resulting from physical conditions which may be on the landowner's land. The United States shall not be held liable by reason of such notice or failure to provide such notice to the landowner. So that significant route segments and sites recognized as associated with the Santa Fe Trail may be distinguished by suitable markers, the Secretary of the Interior is authorized to accept the donation of suitable markers for placement at appropriate locations.

(16)

(A) The Trail of Tears National Historic Trail, a trail consisting of water routes and overland routes traveled by the Cherokee Nation during its removal from ancestral lands in the East to Oklahoma during l838 and l839, generally located within the corridor described through portions of Georgia, North Carolina, Alabama, Tennessee, Kentucky, Illinois, Missouri, Arkansas, and Oklahoma in the final report of the Secretary of the Interior prepared pursuant to subsection (b) of this section entitled "Trail of Tears" and dated June l986. Maps depicting the corridor shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The trail shall be administered by the Secretary of the Interior. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Trail of Tears except with the consent of the owner thereof.

(B) In carrying out his responsibilities pursuant to sections 5(f) and 7(c) of this Act, the Secretary of the Interior shall give careful consideration to the establishment of appropriate interpretive sites for the Trail of Tears in the vicinity of Hopkinsville, Kentucky, Fort Smith, Arkansas, Trail of Tears State Park, Missouri, and Tahlequah, Oklahoma.

(C) In addition to the areas otherwise designated under this paragraph, the following routes and land components by which the Cherokee Nation was removed to Oklahoma are components of the Trail of Tears National Historic Trail, as generally described in the environmentally preferred alternative of the November 2007 Feasibility Study Amendment and Environmental Assessment for Trail of Tears National Historic Trail:

(i) The Benge and Bell routes.

(ii) The land components of the designated water routes in Alabama, Arkansas, Oklahoma, and Tennessee.

(iii) The routes from the collection forts in Alabama, Georgia, North Carolina, and Tennessee to the emigration depots.

(iv) The related campgrounds located along the routes and land components described in clauses (i) through (iii).

(D) The Secretary may accept donations for the Trail from private, nonprofit, or tribal organizations. No lands or interests in lands outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Trail of Tears National Historic Trail except with the consent of the owner thereof.

(17) The Juan Bautista de Anza National Historic Trail, a trail comprising the overland route traveled by Captain Juan Bautista de Anza of Spain during the years 1775 and 1776 from Sonora, Mexico, to the vicinity of San Francisco, California, as generally described in the report of the Department of Interior prepared pursuant to the subsection (b) entitled 'Juan Bautista de Anza National Trail Study, Feasibility Study and Environmental Assessment' and dated August, 1986. A map generally depicting the trail shall be on file and available for public inspection in the Office of the Director of the National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of Interior. No lands or interest therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Juan Bautista de Anza National Historic Trail without the consent of the owner thereof. In implementing this paragraph, the Secretary shall encourage volunteer trail groups to participate in the development and maintenance of the trail.

(18) The California National Historic Trail, a route of approximately five thousand seven hundred miles, including all routes and cutoffs, extending from Independence and Saint Joseph, Missouri, and Council Bluffs, Iowa, to various points in California and Oregon, as generally described in the report of the Department of the Interior prepared pursuant to subsection (b) of this section entitled "California and Pony Express Trails, Eligibility/Feasibility Study/Environmental Assessment" and dated September 1987. A map generally depicting the route shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The trail shall be administered by the Secretary of the Interior. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the United States for the California National Historic Trail except with the consent of the owner thereof.

(19) The Pony Express National Historic Trail, a route of approximately one thousand nine hundred miles, including the original route and subsequent route changes, extending from Saint Joseph, Missouri, to Sacramento, California, as generally described in the report of the Department of the Interior prepared pursuant to subsection (b) of this section entitled "California and Pony Express Trails, Eligibility/Feasibility Study/Environmental Assessment"

and dated September 1987. A map generally depicting the route shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The trail shall be administered by the Secretary of the Interior. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the United States for the Pony Express National Historic Trail except with the consent of the owner thereof.
[Related language from section 2, P.L. 102-328: The Secretary of the Interior (hereinafter referred to as the Secretary) shall undertake a study of the land and water route used to carry mail from Sacramento to San Francisco, California, to determine the feasibility and suitability of designation of such route as a component of the Pony Express National Historic Trail designated by section 1 of this Act. Upon completion of the study, if the Secretary determines such a route is a feasible and suitable addition to the Pony Express National Historic Trail, the Secretary shall designate the route as a component of the Pony Express National Historic Trail. The Secretary shall publish notice of such designation in the Federal Register and shall submit the study along with his findings to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.]
(20) The Selma to Montgomery National Historic Trail, consisting of 54 miles of city streets and United States Highway 80 from Brown Chapel A.M.E. Church in Selma to the State Capitol Building in Montgomery, Alabama, traveled by voting rights advocates during March 1965 to dramatize the need for voting rights legislation, as generally described in the report to the Secretary of the Interior prepared pursuant to subsection (b) of this section entitled "Selma to Montgomery" and dated April, 1993. Maps depicting the route shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The trail shall be administered in accordance with this Act, including section 7(h). The Secretary of the Interior, acting through the National Park Service, which shall be the lead Federal agency, shall cooperate with other Federal, State and local authorities to preserve historic sites along the route, including (but not limited to) the Edmund Pettus Bridge and the Brown Chapel A.M.E. Church.

(21) El Camino Real de tierra adentro --

(A) El Camino Real de Tierra Adentro (the Royal Road of the Interior) National Historic Trail, a 404 mile long trail from Rio Grande near El Paso, Texas to San Juan Pueblo, New Mexico, as generally depicted on the maps entitled 'United States Route: El Camino Real de Tierra Adentro,' contained in the report prepared pursuant to subsection (b) entitled 'National Historic Trail Feasibility Study and Environmental Assessment: El Camino Real de Tierra Adentro, Texas-New Mexico,' dated March 1997.

(B) MAP - A map generally depicting the trail shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

(C) ADMINISTRATION - The Trail shall be administered by the Secretary of the Interior.

(D) LAND ACQUISTION - No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Goverment for El Camino Real de Tierra Adentro except with the consent of the owner thereof.

(E) VOLUNTEER GROUPS; CONSULTATION - The Secretary of the Interior shall --

(i) encourage volunteer groups to participate in the development and maintenance of the trail; and

(ii) consult with other affected Federal, State, local governmental, and tribal agencies in the administration of the trail.

(F) COORDINATION OF ACTIVITIES -The Secretary of the Interior may coordinate with United States and Mexican public and non-governmental organizations, academic institutions, and in consultation with the Secretray of State, the government of Mexico and its political subdivisions, for the purpose of exchanging trail information and research, fostering trail preservation and education programs, providing technical assistance, and working to establish an international historic trail with complementary preservation and education programs in each nation.

(22) Ala Kahakai National Historic Trail --

(A) IN GENERAL - The Ala Kahakai National Historic Trail (the Trail by the Sea), a 175 mile long trail extending from 'Upola Point on the north tip of Hawaii Island down the west coast of the Island around Ka Lae to the east boundar of Hawaii Volcanoes National Park at the ancient shoreline temple known as 'Waha'ula,' as generally depicted on the map entitled 'Ala Kahakai Trail,' contained in the report prepared pursuant to subsection (b) entitled 'Ala Kahakai National Trail Study and Environmental Impact Statement,' dated January, 1998.

(B) MAP - A map generally depicting the trail shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

(C) ADMINISTRATION - The trail shall be administered by the Secretray of the Interior.

(D) LAND ACQUISTION - No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the United States for the trail except with the consent of the owner of the land or interest in land.

(E) PUBLIC PARTICIPATION; CONSULTATION - The Secretary of the Interior shall --

(i) encourage communities and owners of land along the trail, native Hawaiians, and volunteer trail groups to participate in the planning, development, and maintennace of the trail; and

(ii) consult with affected Federal, State, and local agencies, native Hawaiian groups, and landowners in the administration of the trail.

(23) Old Spanish National Historic Trail --

(A) IN GENERAL - The Old Spanish National Historic Trail, an approximately 2,700 mile long trail extending from Santa Fe, New Mexico, to Los Angeles, California, that served as a major trade route between 1829 and 1848, as generally depicted on the maps numbered 1 through 9, as contained in the report entitled 'Old Spanish Trail National Historic Trail Feasibility Study,' dated July 2001, including the Armijo Route, Northern Route, North Branch, and Mojave Road.

(B) MAP - A map generally depicting the trail shall be on file and available for public inspection in the appropriate offices of the Department of the Interior.

(C) ADMINISTRATION - The trail shall be administered by the Secretary of the Interior (referred to in this paragraph as the 'Secretary').

(D) LAND ACQUISITION - The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.

(E) CONSULTATION - The Secretary shall consult with other Federal , State, local, and tribal agencies in the administration of the trail.

(F) ADDITIONAL ROUTES - The Secretary may designate additional routes to the trail if --

(i) the additional routes were included in the Old Spanish Trail National Historic Trail Feasibility Study, but were not recommended for designation as a national historic trail; and

(ii) the Secretary determines that the additional routes were used for trade and commerce between 1829 and 1848.

(24) El Camino Real De Los Tejas National Historic Trail --

(A) IN GENERAL - El Camino Real de los Tejas (the Royal Road to the Tejas) National Historic Trail, a combination of historic routes (including the Old San Antonio Road) totaling approximately 2,580 miles, extending from the Rio Grande near Eagle Pass and Laredo, Texas, to Natchitoches, Louisiana, as generally depicted on the map entitled `El Camino Real de los Tejas' contained in the report entitled `National Historic Trail Feasibility Study and Environmental Assessment: El Camino Real de los Tejas, Texas-Louisiana', dated July 1998.

(B) MAP - A map generally depicting the trail shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(C) ADMINISTRATION

(i) The Secretary of the Interior (referred to in this paragraph as `the Secretary') shall administer the trail.

(ii) The Secretary shall administer those portions of the trail on non-Federal land only with the consent of the owner of such land and when such trail portion qualifies for certification as an officially established component of the trail, consistent with section 3(a)(3). An owner's approval of a certification agreement shall satisfy the consent requirement. A certification agreement may be terminated at any time.

(iii) The designation of the trail does not authorize any person to enter private property without the consent of the owner.

(D) CONSULTATION - The Secretary shall consult with appropriate State and local agencies in the planning and development of the trail.

(E) COORDINATION OF ACTIVITIES - The Secretary may coordinate with United States and Mexican public and nongovernmental organizations, academic institutions, and, in consultation with the Secretary of State, the Government of Mexico and its political subdivisions, for the purpose of exchanging trail information and research, fostering trail preservation and educational programs, providing technical assistance, and working to establish an international historic trail with complementary preservation and education programs in each nation.

(F) LAND ACQUISITION - The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-administered area without the consent of the owner of the land or interest in land.

(25) Captain John Smith Chesapeake National Historic Trail --

(A) IN GENERAL - The John Smith Chesapeake National Historic Trail, a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, and Delaware, and in the District of Columbia, that traces the 1607-1609 voyages of Captain John Smith to chart the land and waterways of the Chesapeake Bay, as generally depicted on the map entitled Captain John Smith Chesapeake National Historic Trail Map MD, VA, DE, and DC, numbered P-16/8000 (CAJO), and dated May 2006.

(B) MAP - The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(C) ADMINISTRATION- The trail shall be administered by the Secretary of the Interior--

(i) in coordination with--

(I) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961); and

(II) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267); and

(ii) in consultation with--

(I) other Federal, State, tribal, regional, and local agencies; and

(II) the private sector.

(D) LAND ACQUISITION- The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.

(26) Star-Spangled Banner National Historic Trail --

(A) IN GENERAL - The Star-Spangled Banner National Historic Trail, a trail consisting of water and overland routes totaling approximately 290 miles, extending from Tangier Island, Virginia, through southern Maryland, the District of Columbia, and northern Virginia, in the Chesapeake Bay, Patuxent River, Potomac River, and north to the Patapsco River, and Baltimore, Maryland, commemorating the Chesapeake Campaign of the War of 1812 (including the British invasion of Washington, District of Columbia, and its associated feints, and the Battle of Baltimore in summer 1814), as generally depicted on the map titled `Star-Spangled Banner National Historic Trail', numbered T02/80,000, and dated June 2007.

(B) MAP - The map referred to in subparagraph (A) shall be maintained on file and available for public inspection in the appropriate offices of the National Park Service.

(C) ADMINISTRATION - Subject to subparagraph (E)(ii), the trail shall be administered by the Secretary of the Interior.

(D) LAND ACQUISITION - No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the United States for the trail except with the consent of the owner of the land or interest in land.

(E) PUBLIC PARTICIPATION - The Secretary of the Interior shall--

(i) encourage communities, owners of land along the trail, and volunteer trail groups to participate in the planning, development, and maintenance of the trail; and

(ii) consult with other affected landowners and Federal, State, and local agencies in the administration of the trail.

(F) INTERPRETATION AND ASSISTANCE - Subject to the availability of appropriations, the Secretary of the Interior may provide, to State and local governments and nonprofit organizations, interpretive programs and services and technical assistance for use in--

(i) carrying out preservation and development of the trail; and

(ii) providing education relating to the War of 1812 along the trail.

(27) Arizona National Scenic Trail --

(A) IN GENERAL - The Arizona National Scenic Trail, extending approximately 807 miles across the State of Arizona from the U.S.-Mexico international border to the Arizona-Utah border, as generally depicted on the map entitled `Arizona National Scenic Trail' and dated December 5, 2007, to be administered by the Secretary of Agriculture, in consultation with the Secretary of the Interior and appropriate State, tribal, and local governmental agencies.

(B) AVAILABILITY OF MAP - The map shall be on file and available for public inspection in appropriate offices of the Forest Service.

(28) NEW ENGLAND NATIONAL SCENIC TRAIL - The New England National Scenic Trail, a continuous trail extending approximately 220 miles from the border of New Hampshire in the town of Royalston, Massachusetts to Long Island Sound in the town of Guilford, Connecticut, as generally depicted on the map titled `New England National Scenic Trail Proposed Route', numbered T06/80,000, and dated October 2007. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service. The Secretary of the Interior, in consultation with appropriate Federal, State, tribal, regional, and local agencies, and other organizations, shall administer the trail after considering the recommendations of the report titled the `Metacomet Monadnock Mattabesset Trail System National Scenic Trail Feasibility Study and Environmental Assessment', prepared by the National Park Service, and dated Spring 2006. The United States shall not acquire for the trail any land or interest in land without the consent of the owner.

(b) Management- The Secretary of the Interior (referred to in this section as the `Secretary') shall consider the actions outlined in the Trail Management Blueprint described in the report titled the `Metacomet Monadnock Mattabesett Trail System National Scenic Trail Feasibility Study and Environmental Assessment', prepared by the National Park Service, and dated Spring 2006, as the framework for management and administration of the New England National Scenic Trail. Additional or more detailed plans for administration, management, protection, access,

maintenance, or development of the trail may be developed consistent with the Trail Management Blueprint, and as approved by the Secretary.

(c) Cooperative Agreements- The Secretary is authorized to enter into cooperative agreements with the Commonwealth of Massachusetts (and its political subdivisions), the State of Connecticut (and its political subdivisions), and other regional, local, and private organizations deemed necessary and desirable to accomplish cooperative trail administrative, management, and protection objectives consistent with the Trail Management Blueprint. An agreement under this subsection may include provisions for limited financial assistance to encourage participation in the planning, acquisition, protection, operation, development, or maintenance of the trail.

(d) Additional Trail Segments- Pursuant to section 6 of the National Trails System Act (16 U.S.C. 1245), the Secretary is encouraged to work with the State of New Hampshire and appropriate local and private organizations to include that portion of the Metacomet-Monadnock Trail in New Hampshire (which lies between Royalston, Massachusetts and Jaffrey, New Hampshire) as a component of the New England National Scenic Trail. Inclusion of this segment, as well as other potential side or connecting trails, is contingent upon written application to the Secretary by appropriate State and local jurisdictions and a finding by the Secretary that trail management and administration is consistent with the Trail Management Blueprint.

(29) Washington-Rochambeau Revolutionary Route National Historic Trail --

(A) IN GENERAL - The Washington-Rochambeau Revolutionary Route National Historic Trail, a corridor of approximately 600 miles following the route taken by the armies of General George Washington and Count Rochambeau between Newport, Rhode Island, and Yorktown, Virginia, in 1781 and 1782, as generally depicted on the map entitled `WASHINGTON-ROCHAMBEAU REVOLUTIONARY ROUTE NATIONAL HISTORIC TRAIL', numbered T01/80,001, and dated June 2007.

(B) MAP - The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(C) ADMINISTRATION - The trail shall be administered by the Secretary of the Interior, in consultation with --

(i) other Federal, State, tribal, regional, and local agencies; and

(ii) the private sector.

(D) LAND ACQUISITION- The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.

(26) Pacific Northwest National Scenic Trail --

(A) IN GENERAL - The Pacific Northwest National Scenic Trail, a trail of approximately 1,200 miles, extending from the Continental Divide in Glacier National Park, Montana, to the Pacific Ocean Coast in Olympic National Park, Washington, following the route depicted on the map entitled `Pacific Northwest National Scenic Trail: Proposed Trail', numbered T12/80,000, and dated February 2008 (referred to in this paragraph as the `map').

(B) AVAILABILITY OF MAP - The map shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(C) ADMINISTRATION - The Pacific Northwest National Scenic Trail shall be administered by the Secretary of Agriculture.

(D) LAND ACQUISITION - The United States shall not acquire for the Pacific Northwest National Scenic Trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.

(b) The Secretary of the Interior, through the agency most likely to administer such trail, and the Secretary of Agriculture where lands administered by him are involved, shall make such additional studies as are herein or may hereafter be authorized by the Congress for the purpose of determining the feasibility and desirability of designating other trails as national scenic or national historic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which such additional proposed trails would pass and in cooperation with interested interstate, State, and local governmental agencies, public and private organizations, and landowners and land users concerned. The feasibility of designating a trail shall be determined on the basis of an evaluation of whether or not it is physically possible to develop a trail along a route being studied, and whether the development of a trail would be financially feasible. The studies listed in subsection (c) of this section shall be completed and submitted to the Congress, with recommendations as to the suitability of trail designation, not later than three complete fiscal years from the date of enactment of their addition to this subsection, or from the date of enactment of this sentence, whichever is later. Such studies, when submitted, shall be printed as a House or Senate document, and shall include, but not be limited to:

(1) the proposed route of such trail (including maps and illustrations);
(2) the areas adjacent to such trails, to be utilized for scenic, historic, natural, cultural, or developmental purposes;
(3) the characteristics which, in the judgment of the appropriate Secretary, make the proposed trail worthy of designation as a national scenic or national historic trail; and in the case of national historic trails the report shall include the recommendation of the Secretary of the Interior's National Park System Advisory Board as to the national historic significance based on the criteria developed under the Historic Sites Act of 1935 (40 Stat. 666; 16 U.S.C. 461);
(4) the current status of land ownership and current and potential use along the designated route;
(5) the estimated cost of acquisition of lands or interest in lands, if any;
(6) the plans for developing and maintaining the trail and the cost thereof;
(7) the proposed Federal administering agency (which, in the case of a national scenic trail wholly or substantially within a national forest, shall be the Department of Agriculture);
(8) the extent to which a State or its political subdivisions and public and private organizations might reasonably be expected to participate in acquiring the necessary lands and in the administration thereof;
(9) the relative uses of the lands involved, including: the number of anticipated visitor-days for the entire length of, as well as for segments of, such trail; the number of months which such trail, or segments thereof, will be open for recreation purposes; the economic and social benefits which might accrue from alternate land uses; and the estimated man-years of civilian employment and expenditures expected for the purposes of maintenance, supervision, and regulation of such trail;
(10) the anticipated impact of public outdoor recreation use on the preservation of a proposed national historic trail and its related historic and archeological features and settings, including the measures proposed to ensure evaluation and preservation of the values that contribute to their national historic significance; and

(11) To qualify for designation as a national historic trail, a trail must meet all three of the following criteria:

(A) It must be a trail or route established by historic use and must be historically significant as a result of that use. The route need not currently exist as a discernible trail to qualify, but its location must be sufficiently known to permit evaluation of public recreation and historical interest potential. A designated trail should generally accurately follow the historic route, but may deviate somewhat on occasion of necessity to avoid difficult routing through subsequent development, or to provide some route variations offering a more pleasurable recreational experience. Such deviations shall be so noted on site. Trail segments no longer possible to travel by trail due to subsequent development as motorized transportation routes may be designated and marked onsite as segments which link to the historic trail.

(B) It must be of national significance with respect to any of several broad facets of American history, such as trade and commerce, exploration, migration and settlement, or military campaigns. To qualify as nationally significant, historic use of the trail must have had a far reaching effect on broad patterns of American culture. Trails significant in the history of native Americans may be included.

(C) It must have significant potential for public recreational use or historical interest based on historic interpretation and appreciation. The potential for such use is generally greater along roadless segments developed as historic trails and at historic sites associated with the trail. The presence of recreation potential not related to historic appreciation is not sufficient justification for designation under this category.

(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section.

(1) Continental Divide Trail, a three-thousand-one-hundred-mile trail extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the Canadian border in Glacier National Park.
(2) Potomac Heritage Trail, an eight-hundred-and-twenty-five-mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia including the one-hundred- and- seventy-mile Chesapeake and Ohio Canal towpath.
(3) Old Cattle Trails of the Southwest from the vicinity of San Antonio, Texas, approximately eight hundred miles through Oklahoma via Baxter Springs and Chetopa, Kansas, to Fort Scott, Kansas, including the Chisholm Trail, from the vicinity of San Antonio or Cuero, Texas, approximately eight hundred miles north through Oklahoma to Abilene, Kansas.
(4) Lewis and Clark Trail, from Wood River, Illinois, to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.
(5) Natchez Trace, from Nashville, Tennessee, approximately six hundred miles to Natchez, Mississippi.
(6) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.
(7) Kittanning Trail from Shirleysburg in Huntingdon County to Kittanning, Armstrong County, Pennsylvania.
(8) Oregon Trail, from Independence, Missouri, approximately two thousand miles to near Fort Vancouver, Washington.
(9) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Santa Fe, New Mexico.
(l0) Long Trail extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.
(ll) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.
(l2) Gold Rush Trails in Alaska.
(l3) Mormon Battalion Trail, extending two thousand miles from Mount Pisgah, Iowa, through Kansas, Colorado, New Mexico, and Arizona to Los Angeles, California.
(l4) El Camino Real from St. Augustine to San Mateo, Florida, approximately 20 miles along the southern boundary of the St. Johns River from Fort Caroline National Memorial to the St. August National Park Monument.

(l5) Bartram Trail, extending through the States of Georgia, North Carolina, South Carolina, Alabama, Florida, Louisiana, Mississippi, and Tennessee.
(l6) Daniel Boone Trail, extending from the vicinity of Statesville, North Carolina, to Fort Boonesborough State Park, Kentucky.
(l7) Desert Trail, extending from the Canadian border through parts of Idaho, Washington, Oregon, Nevada, California, and Arizona, to the Mexican border.
(l8) Dominguez-Escalante Trail, extending approximately two thousand miles along the route of the l776 expedition led by Father Francisco Atanasio Dominguez and Father Silvestre Velez de Escalante, originating in Santa Fe, New Mexico; proceeding northwest along the San Juan, Dolores, Gunnison, and White Rivers in Colorado, thence westerly to Utah Lake; thence southward to Arizona and returning to Santa Fe.
(19) Florida Trail, extending north from Everglade National Park, including the Big Cypress Swamp, the Kissimmee Prairie, the Withlacoochee State Forest, Ocala National Forest, Osceola National Forest, and Black Water River State Forest, said completed trail to be approximately one thousand three hundred miles along, of which over four hundred miles of trail have already been built.
(20) Indian Nations Trail, extending from the Red River in Oklahoma approximately two hundred miles northward through the former Indian nations to the Oklahoma-Kansas boundary line.
(21) Nez Perce Trail extending from the vicinity of Wallowa Lake, Oregon, to Bear Paw Mountain, Montana.

(22) Pacific Northwest Trail, extending approximately one thousand miles from the Continental Divide in Glacier National Park, Montana, to the Pacific Ocean beach of Olympic National Park, Washington, by way of --

(A) Flathead National Forest and Kootenai National Forest in the State of Montana;

(B) Kaniksu National Forest in the State of Idaho; and

(C) Colville National Forest, Okanogan National Forest, Pasayten Wilderness Area, Ross Lake National Recreation Area, North Cascades National Park, Mount Baker, the Skagit River, Deception Pass, Whidbey Island, Olympic National Forest, and Olympic National Park in the State of Washington.

(23) Overmountain Victory Trail, extending from the vicinity of Elizabethton, Tennessee, to Kings Mountain National Military Park, South Carolina.
(24) Juan Bautista de Anza Trail, following the overland route taken by Juan Bautista de Anza in connection with his travels from the United Mexican States to San Francisco, California.
(25) Trail of Tears, including the associated forts and specifically, Fort Mitchell, Alabama, and historic properties, extending from the vicinity of Murphy, North Carolina, through Georgia, Alabama, Tennessee, Kentucky, Illinois, Missouri, and Arkansas, to the vicinity of Tahlequah, Oklahoma.
(26) Illinois Trail, extending from the Lewis and Clark Trail at Wood River, Illinois to the Chicago Portage National Historic Site, generally following the Illinois River and the Illinois and Michigan Canal.

(27) Jedediah Smith Trail, to include the routes of the explorations led by Jedediah Smith --

(A) during the period 1826-1827, extending from the Idaho-Wyoming border, through the Great Salt Lake, Sevier, Virgin, and Colorado River Valleys, and the Mojave Desert, to the San Gabriel Mission, California; thence through the Tehachapi Mountains, San Joaquin and Stanislaus River Valleys, Ebbetts Pass, Walker River Valley, Bald Mount, Mount Grafton, and Great Salt Lake to Bear Lake, Utah; and

(B) during 1828, extending from the Sacramento and Trinity River valleys along the Pacific coastline, through the Smith and Willamette River Valleys to the Fort Vancouver National Historic Site, Washington, on the Columbia River.

(28) General Crook Trail, extending from Prescott, Arizona, across the Mogollon Rim to Fort Apache.
(29) Beale Wagon Road, within the Kaibab and Cononino National Forests in Arizona; Provided, such study may be prepared in conjunction with ongoing planning processes for these National Forests to be completed before 1990.
(30) Pony Express Trail, extending from Saint Joseph, Missouri, through Kansas, Nebraska, Colorado, Wyoming, Utah, Nevada, to Sacramento, California, as indicated on a map labeled "Potential Pony Express Trail", dated October 1983 and the California Trail extending from the vicinity of Omaha, Nebraska, and Saint Joseph, Missouri, to various points in California, as indicated on a map labeled "Potential California Trail" and dated August 1, 1983. Notwithstanding subsection (b) of this section, the study under this paragraph shall be completed and submitted to the Congress no later than the end of two complete fiscal years beginning after the date of the enactment of this paragraph. Such study shall be separated into two portions, one relating to the Pony Express Trail and one relating to the California Trail.
(3l) De Soto Trail, the approximate route taken by the expedition of the Spanish explorer Hernado de Soto in l539, extending through portions of the States of Florida, Georgia, South Carolina, North Carolina, Tennessee, Alabama, Mississippi, to the area of Little Rock, Arkansas, on to Texas and Louisiana, and any other States which may have been crossed by the expedition. The study under this paragraph shall be prepared in accordance with subsection (b) of this section, except that it shall be completed and submitted to the Congress with recommendations as to the trail's suitability for designation not later than one calendar year after the date of enactment of this paragraph.
(32) Coronado Trail, the approximate route taken by the expedition of the Spanish explorer Francisco Vasquez de Coronado between l540 and l542, extending through portions of the States of Arizona, New Mexico, Texas, Oklahoma, and Kansas. The study under this paragraph shall be prepared in accordance with subsection (b) of this section. In conducting the study under this paragraph, the Secretary shall provide for (A) the review of all original Spanish documentation on the Coronado Trail, (B) the continuing search for new primary documentation on the trail, and (C) the examination of all information on the archeological sites along the trail.
(33) The route from Selma to Montgomery, Alabama traveled by people in a march dramatizing the need for voting rights legislation, in March 1965, includes Sylvan South Street, Water Avenue, the Edmund Pettus Bridge, and Highway 80. The study under this paragraph shall be prepared in accordance with subsection (b) of this section, except that it shall be completed and submitted to the Congress with recommendations as to the trail's suitability for designation not later than 1 year after the enactment of this paragraph.
(34) American Discovery Trail, extending from Pt. Reyes, California, across the United States through Nevada, Utah, Colorado, Kansas, Nebraska, Missouri, Iowa, Indiana, Illinois, Ohio, West Virginia, Maryland, and the District of Columbia, to Cape Henlopen State Park, Delaware; to include in the central United States a northern route through Colorado, Nebraska, Iowa, Illinois, and Indiana and a southern route through Colorado, Kansas, Missouri, Illinois, and Indiana.
(35) Ala Kahakai Trail in the State of Hawaii, an ancient Hawaiian trail on the island of Hawaii extending from the northern tip of the Island of Hawaii approximately 175 miles along the western and southern coasts to the northern boundary of Hawaii Volcanoes National Park.

(36)

(A) El Camino Real de Tierra Adentro, the approximately 1,800 mile route extending from Mexico City, Mexico, across the international border at El Paso, Texas, to Santa Fe, New Mexico.

(B) The study shall (i) examine changing routes within the general corridor; (ii) examine major connecting branch routes; and (iii) give due consideration to alternative name designations.

(C) The Secretary of the Interior is authorized to work in cooperation with the Government of Mexico (including, but not limited to providing technical assistance)

to determine the suitability and feasibility of establishing an international historic route along the El Camino Real de Tierra Adentro.

(37)

(A) El Camino Real Para Los Texas, the approximate series of routes from Saltillo, Monclova, and Guerrero, Mexico across Texas through San Antonio and Nacogdoches, to the vicinity of Los Adaes, Louisiana, together with the evolving routes later known as the San Antonio Road.

(B) The study shall (i) examine the changing roads within the historic corridor; (ii) examine the major connecting branch routes; (iii) determine the individual or combined suitability and feasibility of routes for potential national historic trail designation; (iv) consider the preservation heritage plan developed by the Texas Department of Transportation entitled "A Texas Legacy: The Old San Antonio Road and the Caminos Reales", dated January, 1991; and (v) make recommendations concerning the suitability and feasibility of establishing an international historical park where the trail crosses the United States-Mexico border at Maverick County, Texas, and Guerrero, Mexico.

(C) The Secretary of the Interior is authorized to work in cooperation with the government of Mexico (including, but not limited to providing technical assistance) to determine the suitability and feasibility of establishing an international historic trail along the El Camino Real Para Los Texas.

(D) The study shall be undertaken in consultation with the Louisiana Department of Transportation and Development and the Texas Department of Transportation.

(E) The study shall consider alternative name designations for the trail.

(F) The study shall be completed no later than two years after the date funds are made available for the study.

(38) The Old Spanish Trail, beginning in Santa Fe, New Mexico, proceeding through Colorado and Utah, and ending in Los Angeles, California, and the Northern Branch of the Old Spanish Trail, beginning near Espanola, New Mexico, proceeding through Colorado, and ending near Crescent Junction, Utah.

(39) The Great Western Scenic Trail, a system of trails to accommodate a variety of travel users in a corridor of approximately 3,100 miles in length extending from the Arizona-Mexico border to the Idaho-Montana-Canada border, following the approximate route depicted on the map identified as 'Great Western Trail Corridor, 1988,' which shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture. The trail study shall be conducted by the Secretary of Agriculture, in consultation with the Secretary of the Interior, in accordance with subsection (b) and shall include --

(A) the current status of land ownership and current and potential use along the designated route;

(B) the estimated cost of acquisition of lands or interests in lands, if any; and

(C) an examination of the appropriateness of motorized trail use along the trail.

(40) Star Spangled Banner National Historic Trail -

(A) IN GENERAL - The Star Spangled Banner National Historic Trail,tracing the War of 1812 route from the arrival of the British fleet in the Patuxent River in Calvert County and St. Mary's County, Maryland, the landing of the British forces at Benedict, the sinking of the Chesapeake Flotilla at Pig Point, the American defeat at the Battle of Bladensburg, the siege of the Nation's Capital, Washington, District of Columbia (including the burning of the United States Capitol and the White House), the British naval dispersions in the upper Chesapeake Bay leading to the Battle of Caulk's Field in Kent County, Maryland, the route of the American troops from Washington through Georgetown, the Maryland counties of Montgomery, Howard, and Baltimore, and the City of Baltimore Maryland, to the Battle of North Point, and the ultimate victory of the Americans at Fort McHenry on September 14, 1814.

(B) AFFECTED AREAS - The trail crosses eight counties within the boundaries of the State of Maryland, the City of Baltimore, Maryland, and Washington, District of Columbia.

(C) COORDINATION WITH OTHER CONGRESSIONALLY MANDATED ACTIVITIES - The study under this paragraph shall be undertaken in coordination with the study authorized under section 603 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 1a-5 note; 110 Stat. 4172) and the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961). Such coordination shall extend to any research needed to complete the studies and any findings and implementation actions that result from the studies and shall use available resources to the greatest extent possible to avoid unnecessary duplication of effort.

(D) DEADLINE FOR STUDY - Not later than 2 years after funds are made available fore the study under this paragraph, the study shall be completed and transmitted with final recommendations to the Committee on Resources in the House of Representatives and the Committee on Energy and Natural Resources in the Senate.

(41) The Long Walk, a series of routes which the Navajo and Mescalero Apache Indian tribes were forced to walk beginning in the fall of 1863 as a result of their removal by the United States Government from their ancestral lands, generally located within a corridor extending through portions of Canyon de Chelley, Arizona, and Albuquerque, Canyon Blanco, Anton Chico, Canyon Piedra Pintado, and Fort Sumner, New Mexico.

(42) Metacomet-Monadnock- Mattabesett Trail - The Metacomet-Monadnock-Mattabesett Trail, a system of trails and potential trails extending southward approximately 180 miles through Massachusetts on the Metacomet-Monadnock Trail, across central Connecticut on the Metacomet Trail, and ending at Long Island Sound.

(43)

(A) The Captain John Smith Chesapeake National Historic Watertrail, a series of routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, Pennsylvania, and Delaware and the District of Columbia that traces Captain John Smith's voyages charting the land and waterways of the Chesapeake Bay and the tributaries of the Chesapeake Bay.

(B) The study shall be conducted in consultation with Federal, State, regional, and local agencies and representatives of the private sector, including the entities responsible for administering--

(i) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; title V of Public Law 105-312); and

(ii) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).

(C) The study shall include an extensive analysis of the potential impacts the designation of the trail as a national historic watertrail is likely to have on land and water, including docks and piers, along the proposed route or bordering the study route that is privately owned at the time the study is conducted.

(44) CHISHOLM TRAIL-

(A) IN GENERAL- The Chisholm Trail (also known as the `Abilene Trail'), from the vicinity of San Antonio, Texas, segments from the vicinity of Cuero, Texas, to Ft. Worth, Texas, Duncan, Oklahoma, alternate segments used through Oklahoma, to Enid, Oklahoma, Caldwell, Kansas, Wichita, Kansas, Abilene, Kansas, and commonly used segments running to alternative Kansas destinations.

(B) REQUIREMENT- In conducting the study required under this paragraph, the Secretary of the Interior shall identify the point at which the trail originated south of San Antonio, Texas.

(45) GREAT WESTERN TRAIL-

(A) IN GENERAL- The Great Western Trail (also known as the `Dodge City Trail'), from the vicinity of San Antonio, Texas, north-by-northwest through the vicinities of Kerrville and Menard, Texas, north-by-northeast through the vicinities of Coleman and Albany, Texas, north through the vicinity of Vernon, Texas, to Doan's Crossing, Texas, northward through or near the vicinities of Altus, Lone Wolf, Canute, Vici, and May, Oklahoma, north through Kansas to Dodge City, and north through Nebraska to Ogallala.

(B) REQUIREMENT- In conducting the study required under this paragraph, the Secretary of the Interior shall identify the point at which the trail originated south of San Antonio, Texas.

(d) The Secretary charged with the administration of each respective trail shall, within one year of the date of the addition of any national scenic or national historic trail to the system, and within sixty days of the enactment of this sentence for the Appalachian and Pacific Crest National Scenic Trails, establish an advisory council for each such trail, each of which councils shall expire ten years from the date of its establishment, except that the Advisory Council established for the Iditarod Historic Trail shall expire twenty years from the date of its establishment. If the appropriate Secretary is unable to establish such an advisory council because of the lack of adequate public interest, the Secretary shall so advise the appropriate committees of the Congress. The appropriate Secretary shall consult with such council from time to time with respect to matters relating to the trail, including the selection of rights-of-way, standards for the erection and maintenance of markers along the trail, and the administration of the trail. The members of each advisory council, which shall not exceed thirty-five in number, shall serve for a term of two years and without compensation as such, but the Secretary may pay, upon vouchers signed by the chairman of the council, the expenses reasonably incurred by the council and its members in carrying out their responsibilities under this section. Members of each council shall be appointed by the appropriate Secretary as follows:

(1) the head of each Federal department or independent agency administering lands through which the trail route passes, or his designee;

(2) a member appointed to represent each State through which the trail passes, and such appointments shall be made from recommendations of the Governors of such States;
(3) one or more members appointed to represent private organizations, including corporate and individual landowners and land users, which in the opinion of the Secretary, have an established and recognized interest in the trail, and such appointments shall be made from recommendations of the heads of such organizations: Provided, That the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the Appalachian Trail passes; and
(4) the Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.

(e) Within two complete fiscal years of the date of enactment of legislation designating a national scenic trail, except for the Continental Divide National Scenic Trail and the North Country National Scenic Trail, as part of the system, and within two complete fiscal years of the date of enactment of this subsection for the Pacific Crest and Appalachian Trails, the responsible Secretary shall, after full consultation with affected Federal land managing agencies, the Governors of the affected States, the relevant advisory council established pursuant to section 5(d), and the Appalachian Trail Conference in the case of the Appalachian Trail, submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the acquisition, management, development, and use of the trail, including but not limited to, the following items:

(1) specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved (along with high potential historic sites and high potential route segments in the case of national historic trails), details of any anticipated cooperative agreements to be consummated with other entities, and an identified carrying capacity of the trail and a plan for its implementation;
(2) an acquisition or protection plan, by fiscal year for all lands to be acquired by fee title or lesser interest, along with detailed explanation of anticipated necessary cooperative agreements for any lands not to be acquired; and
(3) general and site-specific development plans including anticipated costs.

(f) Within two complete fiscal years of the date of enactment of legislation designating a national historic trail or the Continental Divide National Scenic Trail or the North Country National Scenic Trail as part of the system, the responsible Secretary shall, after full consultation with affected Federal land managing agencies, the Governors of the affected States, and the relevant Advisory Council established pursuant to section 5(d) of this Act, submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the management, and use of the trail, including but not limited to, the following items:

(1) specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved, details of any anticipated cooperative agreements to be consummated with State and local government agencies or private interests, and for national scenic or national historic trails an identified carrying capacity of the trail and a plan for its implementation;
(2) the process to be followed by the appropriate Secretary to implement the marking requirements established in section 7(c) of this Act;
(3) a protection plan for any high potential historic sites or high potential route segments; and
(4) general and site-specific development plans, including anticipated costs.

(g) Revision of Feasibility and Suitability Studies of Existing National Historic Trails-

(1) DEFINITIONS- In this subsection:

(A) ROUTE- The term `route' includes a trail segment commonly known as a cutoff.

(B) SHARED ROUTE- The term `shared route' means a route that was a segment of more than 1 historic trail, including a route shared with an existing national historic trail.

(2) REQUIREMENTS FOR REVISION-

(A) IN GENERAL- The Secretary of the Interior shall revise the feasibility and suitability studies for certain national trails for consideration of possible additions to the trails.

(B) STUDY REQUIREMENTS AND OBJECTIVES- The study requirements and objectives specified in subsection (b) shall apply to a study required by this subsection.

(C) COMPLETION AND SUBMISSION OF STUDY- A study listed in this subsection shall be completed and submitted to Congress not later than 3 complete fiscal years from the date funds are made available for the study.

(3) OREGON NATIONAL HISTORIC TRAIL-

(A) STUDY REQUIRED- The Secretary of the Interior shall undertake a study of the routes of the Oregon Trail listed in subparagraph (B) and generally depicted on the map entitled `Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other routes of the Oregon Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of 1 or more of the routes as components of the Oregon National Historic Trail.

(B) COVERED ROUTES- The routes to be studied under subparagraph (A) shall include the following:

(i) Whitman Mission route.

(ii) Upper Columbia River.

(iii) Cowlitz River route.

(iv) Meek cutoff.

(v) Free Emigrant Road.

(vi) North Alternate Oregon Trail.

(vii) Goodale's cutoff.

(viii) North Side alternate route.

(ix) Cutoff to Barlow road.

(x) Naches Pass Trail.

(4) PONY EXPRESS NATIONAL HISTORIC TRAIL- The Secretary of the Interior shall undertake a study of the approximately 20-mile southern alternative route of the Pony Express Trail from Wathena, Kansas, to Troy, Kansas, and such other routes of the Pony Express Trail that

the Secretary considers appropriate, to determine the feasibility and suitability of designation of 1 or more of the routes as components of the Pony Express National Historic Trail.

(5) CALIFORNIA NATIONAL HISTORIC TRAIL-

(A) STUDY REQUIRED- The Secretary of the Interior shall undertake a study of the Missouri Valley, central, and western routes of the California Trail listed in subparagraph (B) and generally depicted on the map entitled `Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other and shared Missouri Valley, central, and western routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of 1 or more of the routes as components of the California National Historic Trail.

(B) COVERED ROUTES- The routes to be studied under subparagraph (A) shall include the following:

(i) MISSOURI VALLEY ROUTES-.

(I) Blue Mills-Independence Road.

(II) Westport Landing Road.

(III) Westport-Lawrence Road.

(IV) Fort Leavenworth-Blue River route.

(V) Road to Amazonia.

(VI) Union Ferry Route.

(VII) Old Wyoming-Nebraska City cutoff.

(VIII) Lower Plattsmouth Route.

(IX) Lower Bellevue Route.

(X) Woodbury cutoff.

(XI) Blue Ridge cutoff.

(XII) Westport Road.

(XIII) Gum Springs-Fort Leavenworth route.

(XIV) Atchison/Independence Creek routes.

(XV) Fort Leavenworth-Kansas River route.

(XVI) Nebraska City cutoff routes.

(XVII) Minersville-Nebraska City Road.

(XVIII) Upper Plattsmouth route.

(XIX) Upper Bellevue route.

(ii) CENTRAL ROUTES-

(I) Cherokee Trail, including splits.

(II) Weber Canyon route of Hastings cutoff.

(III) Bishop Creek cutoff.

(IV) McAuley cutoff.

(V) Diamond Springs cutoff.

(VI) Secret Pass.

(VII) Greenhorn cutoff.

(VIII) Central Overland Trail.

(iii) WESTERN ROUTES-

(I) Bidwell-Bartleson route.

(II) Georgetown/Dagget Pass Trail.

(III) Big Trees Road.

(IV) Grizzly Flat cutoff.

(V) Nevada City Road.

(VI) Yreka Trail.

(VII) Henness Pass route.

(VIII) Johnson cutoff.

(IX) Luther Pass Trail.

(X) Volcano Road.

(XI) Sacramento-Coloma Wagon Road.

(XII) Burnett cutoff.

(XIII) Placer County Road to Auburn.

(6) MORMON PIONEER NATIONAL HISTORIC TRAIL-

(A) STUDY REQUIRED- The Secretary of the Interior shall undertake a study of the routes of the Mormon Pioneer Trail listed in subparagraph (B) and generally depicted in the map entitled `Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other routes of the Mormon Pioneer Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of 1 or more of the routes as components of the Mormon Pioneer National Historic Trail.

(B) COVERED ROUTES- The routes to be studied under subparagraph (A) shall include the following:

(i) 1846 Subsequent routes A and B (Lucas and Clarke Counties, Iowa).

(ii) 1856-57 Handcart route (Iowa City to Council Bluffs).

(iii) Keokuk route (Iowa).

(iv) 1847 Alternative Elkhorn and Loup River Crossings in Nebraska.

(v) Fort Leavenworth Road; Ox Bow route and alternates in Kansas and Missouri (Oregon and California Trail routes used by Mormon emigrants).

(vi) 1850 Golden Pass Road in Utah.

(7) SHARED CALIFORNIA AND OREGON TRAIL ROUTES-

(A) STUDY REQUIRED- The Secretary of the Interior shall undertake a study of the shared routes of the California Trail and Oregon Trail listed in subparagraph (B) and generally depicted on the map entitled `Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other shared routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of 1 or more of the routes as shared components of the California National Historic Trail and the Oregon National Historic Trail.

(B) COVERED ROUTES- The routes to be studied under subparagraph (A) shall include the following:

(i) St. Joe Road.

(ii) Council Bluffs Road.

(iii) Sublette cutoff.

(iv) Applegate route.

(v) Old Fort Kearny Road (Oxbow Trail).

(vi) Childs cutoff.

(vii) Raft River to Applegate.

CONNECTING AND SIDE TRAILS

SEC. 6. [16USC1245] Connecting or side trails within park, forest, and other recreation areas administered by the Secretary of the Interior or Secretary of Agriculture may be established, designated, and marked by the appropriate Secretary as components of a national recreation, national scenic or national historic trail. When no Federal land acquisition is involved, connecting or side trails may be located across lands administered by interstate, State, or local governmental agencies with their consent, or, where the appropriate Secretary deems necessary or desirable, on privately owned lands with the consent of the landowners. Applications for approval and designation of connecting and side trails on non-Federal lands shall be submitted to the appropriate Secretary.

ADMINISTRATION AND DEVELOPMENT

SEC. 7. [16USC1246]

(a)

(1)

(A) The Secretary charged with the overall administration of a trail pursuant to section 5(a) shall, in administering and managing the trail, consult with the heads of all other affected State and Federal agencies. Nothing contained in this Act shall be deemed to transfer among Federal agencies any management responsibilities established under any other law for federally administered lands which are components of the National Trails System. Any transfer of management responsibilities may be carried out between the Secretary of the Interior and the Secretary of Agriculture only as provided under subparagraph (B).

(B) The Secretary charged with the overall administration of any trail pursuant to section 5(a) may transfer management of any specified trail segment of such trail to the other appropriate Secretary pursuant to a joint memorandum of agreement containing such terms and conditions as the Secretaries consider most appropriate to accomplish the purposes of this Act. During any period in which management responsibilities for any trail segment are transferred under such an agreement, the management of any such segment shall be subject to the laws, rules, and regulations of the Secretary provided with the management authority under the agreement except to such extent as the agreement may otherwise expressly provide.

(2) Pursuant to section 5(a), the appropriate Secretary shall select the rights-of-way for national scenic and national historic trails and shall publish notice thereof of the availability of appropriate maps or descriptions in the Federal Register; Provided, That in selecting the rights-of-way full consideration shall be given to minimizing the adverse effects upon the adjacent landowner or user and his operation. Development and management of each segment of the National Trails System shall be designed to harmonize with and complement any established multiple-use plans for the specific area in order to insure continued maximum benefits from the land. The location and width of such rights-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting rights-of-way for trail purposes, the Secretary shall obtain the advice and assistance of the States, local governments, private organizations, and landowners and land users concerned.

(b) After publication of notice of the availability of appropriate maps or descriptions in the Federal Register, the Secretary charged with the administration of a national scenic or national historic trail may relocate segments of a national scenic or national historic trail right-of-way with the concurrence of the head of the Federal agency having jurisdiction over the lands involved, upon a determination that: (I) Such a relocation is necessary to preserve the purposes for which the trail was established, or (ii) the relocation is necessary to promote a sound land management program in accordance with

established multiple-use principles: Provided, That a substantial relocation of the rights-of-way for such trail shall be by Act of Congress.

(c) National scenic or national historic trails may contain campsites, shelters, and related-public-use facilities. Other uses along the trail, which will not substantially interfere with the nature and purposes of the trail, may be permitted by the Secretary charged with the administration of the trail. Reasonable efforts shall be made to provide sufficient access opportunities to such trails and, to the extent practicable, efforts be made to avoid activities incompatible with the purposes for which such trails were established. The use of motorized vehicles by the general public along any national scenic trail shall be prohibited and nothing in this Act shall be construed as authorizing the use of motorized vehicles within the natural and historical areas of the national park system, the national wildlife refuge system, the national wilderness preservation system where they are presently prohibited or on other Federal lands where trails are designated as being closed to such use by the appropriate Secretary: Provided, That the Secretary charged with the administration of such trail shall establish regulations which shall authorize the use of motorized vehicles when, in his judgment, such vehicles are necessary to meet emergencies or to enable adjacent landowners or land users to have reasonable access to their lands or timber rights: Provided further, That private lands included in the national recreation, national scenic, or national historic trails by cooperative agreement of a landowner shall not preclude such owner from using motorized vehicles on or across such trails or adjacent lands from time to time in accordance with regulations to be established by the appropriate Secretary. Where a national historic trail follows existing public roads, developed rights-of-way or waterways, and similar features of man's nonhistorically related development, approximating the original location of a historic route, such segments may be marked to facilitate retracement of the historic route, and where a national historic trail parallels an existing public road, such road may be marked to commemorate the historic route. Other uses along the historic trails and the Continental Divide National Scenic Trail, which will not substantially interfere with the nature and purposes of the trail, and which, at the time of designation, are allowed by administrative regulations, including the use of motorized vehicles, shall be permitted by the Secretary charged with administration of the trail. The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations, shall establish a uniform marker, including thereon an appropriate and distinctive symbol for each national recreation, national scenic, and national historic trail. Where the trails cross lands administered by Federal agencies such markers shall be erected at appropriate points along the trails and maintained by the Federal agency administering the trail in accordance with standards established by the appropriate Secretary and where the trails cross non-Federal lands, in accordance with written cooperative agreements, the appropriate Secretary shall provide such uniform markers to cooperating agencies and shall require such agencies to erect and maintain them in accordance with the standards established. The appropriate Secretary may also provide for trail interpretation sites, which shall be located at historic sites along the route of any national scenic or national historic trail, in order to present information to the public about the trail, at the lowest possible cost, with emphasis on the portion of the trail passing through the State in which the site is located. Wherever possible, the sites shall be maintained by a State agency under a cooperative agreement between the appropriate Secretary and the State agency.

(d) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national recreation, national scenic, or national historic trail, the heads of Federal agencies may use lands for trail purposes and may acquire lands or interests in lands by written cooperative agreement, donation, purchase with donated or appropriated funds or exchange.

(e) Where the lands included in a national scenic or national historic trail right-of-way are outside of the exterior boundaries of federally administered areas, the Secretary charged with the administration of such trail shall encourage the States or local governments involved (1) to enter into written cooperative agreements with landowners, private organizations, and individuals to provide the necessary trail right-of-way, or (2) to acquire such lands or interests therein to be utilized as segments of the national scenic or national historic trail: Provided, That if the State or local governments fail to enter into such written cooperative agreements or to acquire such lands or interests therein after notice of the selection of the right-of-way is published, the appropriate Secretary, may (I) enter into such agreements with landowners, States, local governments, private

organizations, and individuals for the use of lands for trail purposes, or (ii) acquire private lands or interests therein by donation, purchase with donated or appropriated funds or exchange in accordance with the provisions of subsection (f) of this section: Provided further, That the appropriate Secretary may acquire lands or interests therein from local governments or governmental corporations with the consent of such entities. The lands involved in such rights-of-way should be acquired in fee, if other methods of public control are not sufficient to assure their use for the purpose for which they are acquired: Provided, That if the Secretary charged with the administration of such trail permanently relocates the right-of-way and disposes of all title or interest in the land, the original owner, or his heirs or assigns, shall be offered, by notice given at the former owner's last known address, the right of first refusal at the fair market price.

(f)

(1) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the State wherein such property is located and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(2) In acquiring lands or interests therein for a National Scenic or Historic Trail, the appropriate Secretary may, with consent of a landowner, acquire whole tracts notwithstanding that parts of such tracts may lie outside the area of trail acquisition. In furtherance of the purposes of this act, lands so acquired outside the area of trail acquisition may be exchanged for any non-Federal lands or interests therein within the trail right-of-way, or disposed of in accordance with such procedures or regulations as the appropriate Secretary shall prescribe, including: (I) provisions for conveyance of such acquired lands or interests therein at not less than fair market value to the highest bidder, and (ii) provisions for allowing the last owners of record a right to purchase said acquired lands or interests therein upon payment or agreement to pay an amount equal to the highest bid price. For lands designated for exchange or disposal, the appropriate Secretary may convey these lands with any reservations or covenants deemed desirable to further the purposes of this Act. The proceeds from any disposal shall be credited to the appropriation bearing the costs of land acquisition for the affected trail.

(g) The appropriate Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests, therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interest therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to provide passage across such lands: Provided, That condemnation proceedings may not be utilized to acquire fee title or lesser interests to more than an average of one hundred and twenty-five acres per mile. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to appropriations from other sources, be available to Federal departments for the acquisition of lands or interests in lands for the purposes of this Act. For national historic trails, direct Federal acquisition for trail purposes shall be limited to those areas indicated by the study report or by the comprehensive plan as high potential route segments or high potential historic sites. Except for designated protected components of the trail, no land or site located along a designated national historic trail or along the Continental Divide National Scenic Trail shall be subject to the provisions of section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)) unless such land or site is deemed to be of historical significance under appropriate historical site criteria such as those for the National Register of Historic Places.

(h)

(1) The Secretary charged with the administration of a national recreation, national scenic, or national historic trail shall provide for the development and maintenance of such trails within federally administered areas, and shall cooperate with and encourage the States to operate, develop, and maintain portions of such trails which are located outside the boundaries of federally administered areas. When deemed to be in the public interest, such Secretary may enter written cooperative agreements with the States or their political subdivisions, landowners, private organizations, or individuals to operate, develop, and maintain any portion of such a trail either within or outside a federally administered area. Such agreements may include provisions for limited financial assistance to encourage participation in the acquisition, protection, operation, development, or maintenance of such trails, provisions providing volunteer in the park or volunteer in the forest status (in accordance with the Volunteers in the Parks Act of 1969 and the Volunteers in the Forests Act of 1972) to individuals, private organizations, or landowners participating in such activities, or provisions of both types. The appropriate Secretary shall also initiate consultations with affected States and their political subdivisions to encourage --

(A) the development and implementation by such entities of appropriate measures to protect private landowners from trespass resulting from trail use and from unreasonable personal liability and property damage caused by trail use, and

(B) the development and implementation by such entities of provisions for land practices compatible with the purposes of this Act, for property within or adjacent to trail rights-of-way. After consulting with States and their political subdivisions under the preceding sentence, the Secretary may provide assistance to such entities under appropriate cooperative agreements in the manner provided by this subsection.

(2) Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.

(i) The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national recreation, national scenic, or national historic trail passes, and after consultation with the States, local governments, and organizations concerned, may issue regulations, which may be revised from time to time, governing the use, protection, management, development, and administration of trails of the national trails system. In order to maintain good conduct on and along the trails located within federally administered areas and to provide for the proper government and protection of such trails, the Secretary of the Interior and the Secretary of Agriculture shall prescribe and publish such uniform regulations as they deem necessary and any person who violates such regulations shall be guilty of a misdemeanor, and may be punished by a fine of not more $500 or by imprisonment not exceeding six months, or by both such fine and imprisonment. The Secretary responsible for the administration of any segment of any component of the National Trails System (as determined in a manner consistent with subsection (a)(1) of this section) may also utilize authorities related to units of the national park system or the national forest system, as the case may be, in carrying out his administrative responsibilities for such component.

(j) Potential trail uses allowed on designated components of the national trails system may include, but are not limited to, the following: bicycling, cross-country skiing, day hiking, equestrian activities, jogging or similar fitness activities, trail biking, overnight and long-distance backpacking, snowmobiling, and surface water and underwater activities. Vehicles which may be permitted on certain trails may include, but need not be limited to, motorcycles, bicycles, four-wheel drive or all-terrain off-road vehicles. In addition, trail access for handicapped individuals may be provided. The provisions of this subsection shall not supersede any other provisions of this Act or other Federal laws, or any State or local laws.

(k) For the conservation purpose of preserving or enhancing the recreational, scenic, natural, or historical values of components of the national trails system, and environs thereof as determined by the appropriate Secretary, landowners are authorized to donate or otherwise convey qualified real

property interests to qualified organizations consistent with section 170(h)(3) of the Internal Revenue Code of 1954, including, but not limited to, right-of-way, open space, scenic, or conservation easements, without regard to any limitation on the nature of the estate or interest otherwise transferable within the jurisdiction where the land is located. The conveyance of any such interest in land in accordance with this subsection shall be deemed to further a Federal conservation policy and yield a significant public benefit for purposes of section 6 of Public Law 96-541.

STATE AND METROPOLITAN AREA TRAILS

SEC. 8. [16USC1247] (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation and historic trails on lands owned or administered by States, and recreation and historic trails on lands in or near urban areas. The Secretary is also directed to encourage States to consider, in their comprehensive statewide historic preservation plans and proposals for financial assistance for State, local, and private projects submitted pursuant to the Act of October 15, 1966 (80 Stat. 915), as amended, needs and opportunities for establishing historic trails. He is further directed in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) The Secretary of Transportation, the Chairman of the Interstate Commerce Commission, and the Secretary of the Interior, in administering the Railroad Revitalization and Regulatory Reform Act of 1976, shall encourage State and local agencies and private interests to establish appropriate trails using the provisions of such programs. Consistent with the purposes of that Act, and in furtherance of the national policy to preserve established railroad rights-of-way for future reactivation of rail service, to protect rail transportation corridors, and to encourage energy efficient transportation use, in the case of interim use of any established railroad rights-of-way pursuant to donation, transfer, lease, sale, or otherwise in a manner consistent with the National Trails System Act, if such interim use is subject to restoration or reconstruction for railroad purposes, such interim use shall not be treated, for purposes of any law or rule of law, as an abandonment of the use of such rights-of-way for railroad purposes. If a State, political subdivision, or qualified private organization is prepared to assume full responsibility for management of such rights-of-way and for any legal liability arising out of such transfer or use, and for the payment of any and all taxes that may be levied or assessed against such rights-of-way, then the Commission shall impose such terms and conditions as a requirement of any transfer or conveyance for interim use in a manner consistent with this Act, and shall not permit abandonment or discontinuance inconsistent or disruptive of such use.

(e) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

RIGHTS-OF-WAY AND OTHER PROPERTIES

SEC. 9. [16USC1248] (a) The Secretary of the Interior or the Secretary of Agriculture as the case may be, may grant easements and rights-of-way upon, over, under, across, or along any component of the national trails system in accordance with the laws applicable to the national park system and

the national forest system, respectively: Provided, That any conditions contained in such easements and rights-of-way shall be related to the policy and purposes of this Act.

(b) The Department of Defense, the Department of Transportation, the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction or control over or information concerning the use, abandonment, or disposition of roadways, utility rights-of-way, or other properties which may be suitable for the purpose of improving or expanding the national trails system shall cooperate with the Secretary of the Interior and the Secretary of Agriculture in order to assure, to the extent practicable, that any such properties having values suitable for trail purposes may be made available for such use.

(c) Commencing upon the date of enactment of this subsection, any and all right, title, interest, and estate of the United States in all rights-of-way of the type described in the Act of March 8, l922 (43 U.S.C. 9l2), shall remain in the United States upon the abandonment or forfeiture of such rights-of-way, or portions thereof, except to the extent that any such right-of-way, or portion thereof, is embraced within a public highway no later than one year after a determination of abandonment or forfeiture, as provided under such Act.

(d)

(1) All rights-of-way, or portions thereof, retained by the United States pursuant to subsection (c) which are located within the boundaries of a conservation system unit or a National Forest shall be added to and incorporated within such unit or National Forest and managed in accordance with applicable provisions of law, including this Act.

(2) All such retained rights-of-way, or portions thereof, which are located outside the boundaries of a conservation system unit or a National Forest but adjacent to or contiguous with any portion of the public lands shall be managed pursuant to the Federal Land Policy and Management Act of l976 and other applicable law, including this section.

(3) All such retained rights-of-way, or portions thereof, which are located outside the boundaries of a conservation system unit or National Forest which the Secretary of the Interior determines suitable for use as a public recreational trail or other recreational purposes shall be managed by the Secretary for such uses, as well as for such other uses as the Secretary determines to be appropriate pursuant to applicable laws, as long as such uses do not preclude trail use.

(e)

(l) The Secretary of the Interior is authorized where appropriate to release and quitclaim to a unit of government or to another entity meeting the requirements of this subsection any and all right, title, and interest in the surface estate of any portion of any right-of-way to the extent any such right, title, and interest was retained by the United States pursuant to subsection (c), if such portion is not located within the boundaries of any conservation system unit or National Forest. Such release and quitclaim shall be made only in response to an application therefor by a unit of State or local government or another entity which the Secretary of the Interior determines to be legally and financially qualified to manage the relevant portion for public recreational purposes. Upon receipt of such an application, the Secretary shall publish a notice concerning such application in a newspaper of general circulation in the area where the relevant portion is located. Such release and quitclaim shall be on the following conditions:

(A) If such unit or entity attempts to sell, convey, or otherwise transfer such right, title, or interest or attempts to permit the use of any part of such portion for any purpose incompatible with its use for public recreation, then any and all right, title,

and interest released and quitclaimed by the Secretary pursuant to this subsection shall revert to the United States.

(B) Such unit or entity shall assume full responsibility and hold the United States harmless for any legal liability which might arise with respect to the transfer, possession, use, release, or quitclaim of such right-of-way.

(C) Notwithstanding any other provision of law, the United States shall be under no duty to inspect such portion prior to such release and quitclaim, and shall incur no legal liability with respect to any hazard or any unsafe condition existing on such portion at the time of such release and quitclaim.

(2) The Secretary is authorized to sell any portion of a right-of-way retained by the United States pursuant to subsection (c) located outside the boundaries of a conservation system unit or National Forest if any such portion is --

(A) not adjacent to or contiguous with any portion of the public lands; or

(B) determined by the Secretary, pursuant to the disposal criteria established by section 203 of the Federal Land Policy and Management Act of l976, to be suitable for sale. Prior to conducting any such sale, the Secretary shall take appropriate steps to afford a unit of State or local government or any other entity an opportunity to seek to obtain such portion pursuant to paragraph (l) of this subsection.

(3) All proceeds from sales of such retained rights of way shall be deposited into the Treasury of the United States and credited to the Land and Water Conservation Fund as provided in section 2 of the Land and Water Conservation Fund Act of l965.

(4) The Secretary of the Interior shall annually report to the Congress the total proceeds from sales under paragraph (2) during the preceding fiscal year. Such report shall be included in the President's annual budget submitted to the Congress.

(f) As used in this section --

(1) The term "conservation system unit" has the same meaning given such term in the Alaska National Interest Lands Conservation Act (Public Law 96-487; 94 Stat. 237l et seq.), except that such term shall also include units outside Alaska.

(2) The term "public lands" has the same meaning given such term in the Federal Land Policy and Management Act of l976.

AUTHORIZATION OF APPROPRIATIONS

SEC. 10. [16USC1249] (a)

(1) There are hereby authorized to be appropriated for the acquisition of lands or interests in lands not more than $5,000,000 for the Appalachian National Scenic Trail and not more than $500,000 for the Pacific Crest National Scenic Trail. From the appropriations authorized for fiscal year 1979 and succeeding fiscal years pursuant to the Land and Water Conservation Fund Act (78 Stat. 897), as amended, not more than the following amounts may be expended for the acquisition of lands and interests in lands authorized to be acquired pursuant to the provisions of this Act: for the Appalachian National Scenic Trail, not to exceed $30,000,000 for fiscal year 1979, $30,000,000 for fiscal year 1980, and $30,000,000 for fiscal year 1981, except that the difference between the foregoing amounts and the actual

appropriations in any one fiscal year shall be available for appropriation in subsequent fiscal years.

(2) It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program necessary to insure the protection of the Appalachian Trail within three complete fiscal years following the date of enactment of this sentence.

(b) For the purposes of Public Law 95-42 (91 Stat. 211), the lands and interests therein acquired pursuant to this section shall be deemed to qualify for funding under the provisions of section 1, clause 2, of said Act.

(c) Authorization of Appropriations-

(1) IN GENERAL- Except as otherwise provided in this Act, there are authorized to be appropriated such sums as are necessary to implement the provisions of this Act relating to the trails designated by section 5(a).

(2) NATCHEZ TRACE NATIONAL SCENIC TRAIL-

(A) IN GENERAL- With respect to the Natchez Trace National Scenic Trail (referred to in this paragraph as the `trail') designated by section 5(a)(12)--

(i) not more than $500,000 shall be appropriated for the acquisition of land or interests in land for the trail; and

(ii) not more than $2,000,000 shall be appropriated for the development of the trail.

(B) PARTICIPATION BY VOLUNTEER TRAIL GROUPS- The administering agency for the trail shall encourage volunteer trail groups to participate in the development of the trail.

VOLUNTEER TRAILS ASSISTANCE

SEC. 11. [16USC1250] (a)

(1) In addition to the cooperative agreement and other authorities contained in this Act, the Secretary of the Interior, the Secretary of Agriculture, and the head of any Federal agency administering Federal lands, are authorized to encourage volunteers and volunteer organizations to plan, develop, maintain, and manage, where appropriate, trails throughout the Nation.

(2) Wherever appropriate in furtherance of the purposes of this Act, the Secretaries are authorized and encouraged to utilize the Volunteers in the Parks Act of 1969, the Volunteers in the Forests Act of 1972, and section 6 of the Land and Water Conservation Fund Act of 1965 (relating to the development of Statewide Comprehensive Outdoor Recreation Plans).

(b) Each Secretary or the head of any Federal land managing agency, may assist volunteers and volunteers organizations in planning, developing, maintaining, and managing trails. Volunteer work may include, but need not be limited to--

(1) planning, developing, maintaining, or managing (A) trails which are components of the national trails system, or (B) trails which, if so developed and maintained, could qualify for designation as components of the national trails system; or

(2) operating programs to organize and supervise volunteer trail building efforts with respect to the trails referred to in paragraph (1), conducting trail-related research projects, or providing education and training to volunteers on methods of trails planning, construction, and maintenance.

(c) The appropriate Secretary or the head of any Federal land managing agency may utilize and to make available Federal facilities, equipment, tools, and technical assistance to volunteers and volunteer organizations, subject to such limitations and restrictions as the appropriate Secretary or the head of any Federal land managing agency deems necessary or desirable.

DEFINITIONS

SEC. 12. [16USC1251] As used in this Act:

(1) The term "high potential historic sites" means those historic sites related to the route, or sites in close proximity thereto, which provide opportunity to interpret the historic significance of the trail during the period of its major use. Criteria for consideration as high potential sites include historic significance, presence of visible historic remnants, scenic quality, and relative freedom from intrusion.

(2) The term "high potential route segments" means those segments of a trail which would afford high quality recreation experience in a portion of the route having greater than average scenic values or affording an opportunity to vicariously share the experience of the original users of a historic route.

(3) The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Northern Mariana Islands, and any other territory or possession of the United States.

(4) The term "without expense to the United States" means that no funds may be expended by Federal agencies for the development of trail related facilities or for the acquisition of lands or interest in lands outside the exterior boundaries of Federal areas. For the purposes of the preceding sentence, amounts made available to any State or political subdivision under the Land and Water Conservation Fund Act of 1965 or any other provision of law shall not be treated as an expense to the United States.

Charter

CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL ADVISORY COUNCIL

A. OFFICIAL DESIGNATION.

The official designation of the committee is the Captain John Smith Chesapeake National Historic Trail Advisory Council.

B. PURPOSE.

The purpose of the Council is to consult with the Secretary of the Interior from time to time with respect to matters relating to the trail, including but not limited to, the development of a comprehensive plan, the selection of rights-of-way, standards for the erection and maintenance of markers along the trail, and the administration of the trial.

C. DUTIES AND RESPONSIBILITIES.

The duties of the Council are solely advisory and are as stated in paragraph B above.

D. MEMBERSHIP.

1. The Council shall not exceed 35 members and will be appointed by the Secretary as follows:

   a. The head of each Federal department or independent agency administering lands through which the trail route passes, or a designee;

   b. A member to represent each State through which the trail passes, and such appointments will be made from recommendations of the Governors of such States; and

   c. One or more members to represent private organizations, including corporate and individual landowners and land users, which, in the opinion of the Secretary, have an established and recognized interest in the trail. Such appointments will be made from recommendations of the heads of such organizations.

2. Alternates may be appointed in addition to the primary appointees. An alternate appointee may deliberate and vote on Council matters only in the absence of the primary appointee.

3. Members will be appointed for 2-year terms. Vacancies on the Council will be filled in the same manner as original appointments.

4. If any member fails to attend three successive meetings of the Council, the DFO may recommend the removal of the member by the Secretary and a replacement named.

5. All members will serve without salary. However, while away from their homes or regular places of business in the performance of Council business approved by the Designated Federal Official (DFO), members may be reimbursed at current rates for travel and per diem expenses in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703, Title 5 of the United States Code.

E. ETHICS RESPONSIBILITIES OF MEMBERS.

No council or subcommittee member shall participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.

F. ADMINISTRATION.

1. CHARTER. The Council is subject to the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix (1994). The Council will take no action unless the filing requirements of sections 9(c) and 14(b) of FACA have been complied with. The Council is subject to renewal every biennial anniversary of its establishment date, which is the date the first charter is filed.

2. DESIGNATED FEDERAL OFFICIAL. The Council reports to the Superintendent, Captain John Smith Chesapeake National Historic Trail, National Park Service, Annapolis, Maryland. The Superintendent or, in the Superintendent's absence, a Federal employee designated by the Superintendent, will serve as the DFO for purposes of Section 10 of FACA to oversee the management of the Council.

3. CHAIRPERSON. The Secretary will designate one member to serve as chairperson.

4. MEETINGS. The Council meets approximately two times a year upon the call of, or with the advance approval of, the DFO and with an agenda approved by the DFO. All meetings of the Council are subject to the provisions of FACA.

5. SUBCOMMITTEES. The Agency may establish subcommittees or workgroups as it deems necessary, upon recommendation of the Committee or its chair, for the purposes of compiling information or conducting research. However, such subcommittees or workgroups shall not conduct business independent of the Committee and must report their recommendations to the full Committee for consideration. The Committee Chair, with the approval of the DFO, will appoint subcommittee or workgroup members. Subcommittees or workgroups will meet as necessary to accomplish assignments, subject to the approval of the DFO and the availability of resources.

6. SUPPORT AND COST. Support for the Council is provided by the National Park Service, U.S. Department of the Interior. The estimated annual operating cost of the Council is $75,000, which includes the cost of ¼ work-year of staff support.

G. DURATION AND DATE OF TERMINATION.

The Council will require approximately 10 years from the date of establishment to complete its work. The date the first charter is filed constitutes the date of establishment. In accordance with the Trails System Act, as amended, the Council will terminate 10 years after the date of establishment.

H. AUTHORITY.

The establishment of the Captain John Smith Chesapeake National Historic Trail Advisory Council is authorized by the National Trails System Act, 16 U.S.C.1244(a) *et seq.*, as amended, and Title I, Section 133 of Public Law 109-418, December 21, 2006.

MAY 2 1 2008

Secretary of the Interior — Date Signed

DATE CHARTER FILED MAY 2 1 2008

Captain John Smith Chesapeake National Historic Trail
Advisory Council Members

Name	Representing
John Reynolds, Chairman	Student Conservation Association
Stephen Adkins	Chickahominy Tribe
Neil Albert	District of Columbia
Suzanne Baird	U.S. Fish and Wildlife Service
William Baker	Chesapeake Bay Foundation
Deanna Beacham	Commonwealth of Virginia
Lloyd (Scott) Beatty	Chesapeake Bay Gateways Network Working Group
H. Hedrick Belin	Potomac Conservancy
Keith Colston	State of Maryland
John Griffin	State of Maryland
Gilbert Grosvenor	National Geographic Society
Jeff Lape	Environmental Protection Agency
Ann Loomis	Dominion Resources, Inc.
John Maounis	National Park Service
Joseph Maroon	Commonwealth of Virginia
Susan Moerschel	State of Delaware
Kim Nielson	Department of Defense, United States Navy
Patrick Noonan	Conservation Fund
James Norwood	Nanticoke Indian Association
Stuart Parnes	Chesapeake Bay Maritime Museum
J.W. Peyton Robertson, Jr.	National Oceanic and Atmospheric Administration
William Street	James River Association
Ann Swanson	Chesapeake Bay Commission
Douglas Wheeler	Hogan & Hartson, LLP
Alternate Members	
Alisa Bailey	Commonwealth of Virginia
Hannah Byron	State of Maryland
Elizabeth Hughes	State of Maryland
Kathleen Kilpatrick	Commonwealth of Virginia

Captain John Smith Chesapeake National Historic Trail
Comprehensive Management Plan

Summary of Comments Received at Public Open House Workshops

Public Scoping Open House Workshops (Fall 2008)

During the summer of 2008, a public scoping newsletter was released to the public. The newsletter included the purpose, need, and objectives of the CMP planning issues; purpose and significance of the trail; management objectives; background information on the trail; schedule and location of the scoping public open house workshops; and the CMP/EA process and milestones. In September and October 2008, eight public scoping open house workshops were held at multiple locations around the Chesapeake Bay including, Jamestown, Deltaville, Alexandria, and Cape Charles, Virginia; Baltimore, Havre de Grace, and St. Michael's, Maryland; and Seaford, Delaware. The primary purpose of the public scoping open house workshops was to gather ideas from individuals and communities on how the trail should evolve. During the open house workshops, attendees had the chance to share their ideas, comments, and suggestions. This public scoping report is a summary of the ideas generated during the public scoping period. It will serve as an essential tool for trail managers in shaping management directives for the CAJO.

The NPS conducted eight public scoping open house workshops on the following dates:

- September 23, 2008 Historic Jamestowne Visitor Center (Jamestown, VA)
- September 24, 2008 Deltaville Community Center (Deltaville, VA)
- September 25, 2008 Indigo Landing (Alexandria, VA)
- September 30, 2008 Fort McHenry Visitor Center (Baltimore, MD)
- October 1, 2008 Seaford City Hall (Seaford, DE)
- October 2, 2008 Havre de Grace Maritime Museum (Havre de Grace, MD)
- October 7, 2008 Anheuser-Busch Coastal Research Center (Cape Charles, VA)
- October 8, 2008 Chesapeake Bay Maritime Museum (St. Michaels, MD)

Summary of Comments

The workshops were conducted "open house" style with stations set up for the public to review topics, provide comments, and ask questions of the workshop facilitators. A video was offered to the public showing areas along the CAJO. The scoping newsletter as well as a comment form was available for meeting attendees. The following eight questions were addressed on the comment form:

1. How should people be able to experience the trail?
2. What should the trail experience provide?
3. What resources are most important to this trail?
4. What facilities or services are needed for trail users?
5. How should information and stories about the trail be provided?
6. What are the essential messages for every trail user?
7. How would you like to be involved in the trail?
8. What are other issues you think we should be concerned with regarding the trail at this time?

For questions 1-7, respondents were given multiple choice answers and an option to add additional items of concern. All correspondence received at the public open house workshops or directly through the NPS PEPC website, email, phone, fax, or US mail was considered equally. To summarize the public input, the comments are grouped by response to questions on the comment form. The public comment period was open from September 23, 2008 – November 7, 2008.

1. How should people be able to experience the trail?

Approximately 68 percent of the respondents felt that all activities listed (paddling or boating along Smith's routes; boating tours; visiting key sites on land; biking, walking or driving routes linking sites) were important ways for people to experience the trail. Among the remaining respondents, the majority felt that paddling or boating along Smith's routes was the best way for people to experience the trail.

2. What should the trail experience provide?

Approximately 62 percent of the respondents felt that all experiences listed (a chance to connect to an earlier time; a direct connection to the Chesapeake; an understanding of the Chesapeake's American Indian cultures; an understanding of how the Chesapeake has changed) were important for the trail to provide. Of the remaining respondents the majority felt the trail experience should provide an understanding of the Chesapeake's American Indian cultures.

3. What resources are most important to this trail?

Approximately 41 percent of the respondents felt that all resources listed (the routes Smith traveled; sites Smith described and mapped; Native American sites from the period; natural areas, landscapes and views that evoke the Chesapeake of 400 years ago; additional trails that connect to the main stem of the John Smith trail) were important to the trail. Of the remaining respondents, three resource choices were about equal in the public's view as important to the trail: 1) sites that Smith described and mapped; 2) natural areas, landscapes, and views that evoke the Chesapeake 400 years ago; 3) Native American sites from the period.

4. What facilities or services are needed for trail users?

A total of 63 people ranked the facilities or services in order of importance to them. The majority of respondents thought launch sites for kayaks and canoes were the most important facility/services needed for trail users. The following table shows the total number of times that each facility/service was ranked as being most and least important:

Facility/Service	Total Number of Rankings							
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**
Kayak/Canoe Launch	44	24	1	2	1	1	0	0
Sailboat Launch	3	10	7	5	14	2	2	1
Powerboat Launch	2	4	2	4	2	6	12	1
Kayak/Canoe Rental	2	20	17	9	4	0	1	0
Sailboat Rental	0	0	2	8	9	15	4	1
Powerboat Rental	0	1	3	2	2	5	3	14
Guided Tours by Boat	16	8	17	10	1	1	2	1
Camping Sites	0	14	8	13	5	6	1	5

5. How should information and stories about the trail be provided?

Approximately 41 percent of the respondents felt that all the ideas listed (trail markers, historical markers, and other informational signs; trail orientation centers; websites; podcasts and other mobile technology; interpretive buoys; guidebooks and maps; school curricula; trail-related public events) are needed to provide the information and stories of the trail. The majority of the remaining respondents felt that the following were the best ways to provide information about the trail: trail marker, historical markers, and other informational signs; guidebooks and maps; and websites.

6. What are the essential messages for every trail user?

A total of 102 people responded to question six. Respondents were asked to rank the following ideas:

- to “leave no trace”
- to respect the rights of landowners
- to safely navigate the trail
- to be stewards of the bay on the trail and at home

The majority of the respondents felt that the most important message for trail users is to be stewards of the bay on the trail and at home. The following table shows the total number of times that each message was ranked as being most and least important:

Message	Total Number of Rankings			
	1	2	3	4
Leave No Trace	17	35	12	8
Respect Rights of Landowners	9	12	28	24
Safely Navigate the Trail	12	18	22	21
Stewards of the Bay on the Trail and at Home	44	18	9	14

7. How would you like to be involved in the trail?

Approximately 17 percent of respondents would like to be involved in the trail by all ways listed (as a trail user; inventory important sites on the trail; researching the history of the trail; restoring or maintaining parts of the trail; guiding trail users along the trail; telling stories of Smith, American Indians, and the Chesapeake of 400 years ago; working on trail-related public events.) However, the majority of the respondents (80 percent) would like to be trail users.

8. Are there any other issues you think we should be concerned with regarding the trail at this time?

We received over 30 issues or concerns from the respondents ranging from funding to the possibility of equestrian use on the land portions of the trail.

Management Alternative Public Open House Workshops (Fall 2009)

Following the public scoping open house workshops in 2008, the CAJO planning team defined the planning issues, and developed four conceptual management alternatives. In the fall of 2009, a newsletter was mailed out to over 1,000 addresses, providing an overview of the management alternatives under consideration and inviting participation in public workshops. Approximately 130 people attended the eight public open house workshops held around the bay area during the weeks of October 12 and October 19. Following a presentation about the four management alternative concepts, participants were given the opportunity to visit stations where NPS staff showed large maps to illustrate how each alternative concept might play out in locations along the trail. The locations demonstrated the diversity of the areas and resources that the CMP/EA will need to address. Participants were encouraged to fill out comment sheets.

Preceding each public workshop, NPS staff held a stakeholder meeting for invited CAJO partner representatives. These conversations provided information that was helpful for the CMP/EA planning process. A common refrain among the public and stakeholders was the importance of the trail to protect viewsheds and landscapes along the trail and to encourage local development of sustainable tourism. The Friends of the John Smith Chesapeake Trail assisted in staffing, promoting, and planning for the workshops.

The NPS conducted eight management alternative public open house workshops on the following dates:

- October 12, 2009 The Watermen's Museum (Yorktown, VA)
- October 13, 2009 Deltaville Community Center (Deltaville, VA)
- October 14, 2009 Annapolis Maritime Museum (Annapolis, MD)
- October 15, 2009 Charles Sumner School (Washington, DC)
- October 19, 2009 Barrier Islands Center (Machipongo, VA)
- October 20, 2009 Seaford City Hall (Seaford, DE)
- October 21, 2009 Chesapeake Bay Maritime Museum (St. Michaels, MD)
- October 22, 2009 Havre de Grace Maritime Museum (Havre de Grace, MD)

Summary of Comments

In addition to comments received during the workshops either verbally or via park provided comment forms, the public had the opportunity to submit comments directly through the NPS PEPC website, email, phone, fax, or US mail. The public comment period on the management alternatives was open from October 12, 2009 – December 1, 2009.

Many of the comments received at the workshops and during the public comment period addressed what individuals liked or disliked about each of the proposed alternatives. In order to understand and respond, the comments were organized through PEPC into six concern statements. The concern statements and the parks response are provided below.

Public Concern: Visitor Experience

Public comments were received asking that trail management include a focus on the history John Smith and of the Chesapeake Bay in the 17th Century from the American Indian perspective.

> **Response:** The National Trails Systems Act (16 U.S.C. 1241-1251) requires that a national historic trail meet three criteria, including national significance with respect to American history. In addition the project agreement is clear that historic interpretation is a crucial part of the visitor experience. An analysis was done to determine which Smith voyage landing sites most reflect the goals of the Virginia Company and existing interpretive themes. These sites have the strongest association with the historic events that define the significance of the voyages and exploration.
>
> The interpretative plan includes in its key themes both "accurately interpret the cultures of American Indians as they existed prior to European contact" and "depict the impacts of Smith's voyages and European settlement on the native peoples and the bay environment." An ethnographic study and consultation with the 19 tribes and descendant groups along the trail is being undertaken and will form the basis for ongoing consultation. This work will include a brief history of the tribes or groups, and

focus on landscapes that are important to their cultural identify. A more accurate understanding of American Indian culture will inform interpretation and visitor understanding and resource protection initiatives associated with the trail.

Public Concern: Visitor Use

Public comments were received in support of a management alternative that includes a focus on recreation. Comments suggest that recreation is essential to popular appeal, yet concern that a focus on recreation may overwhelm other purposes of the trail.

Response: The National Trails Systems Act (16 U.S.C. 1241-1251), requires all national trails have recreation potential. In addition, Executive Order 13508, which specifically references the Captain John Smith Chesapeake NHT, includes a request for additional water access and will create more recreational opportunities. CAJO partners are developing additional water trails,

In addition, the Alternative Transportation Plan (ATP) inventory is a study that includes analysis of all existing hike and bike trails, paddling outfitters, and bike rental providers along the trail. The ATP is looking for ways that negative impacts of trail users can be reduced. The goal of this plan is to create recommendations that will result in a reduction of net impact of use, particularly on the water, through the utilization of alternative transportation methods.

Public Concern: Resource Identification and Protection

Public comments were received asking that trail management include natural and historic resource conservation. These comments expressed support for management alternatives that include a focus on environmental stewardship.

Response: The Chesapeake Treasured Landscape Initiative, a component of the draft strategy response to Executive Order 13508, provides language and recommendations to conserve and sustain the most ecologically and culturally significant landscapes along the bay and its major rivers. This Initiative includes language that identifies national historic trails among the federal management units that will use non-traditional, collaborative partnerships, retaining many patterns of land ownership and use while conserving significant landscapes. The CAJO CMP planning process will incorporate these principles in the development of the management alternatives. Other federal agencies, particularly the National Wildlife Refuges, have conservation agendas the trail will partner with these agencies when applicable. The planning process is also identifying evocative landscapes for future consideration of conservation efforts by partners or NPS in coordination with private property owners.

Public Concern: Partnerships

Public comments received expressed support for the use of NPS partnering in the current management of the trail. Comments stated support for management that continues to involve strong partnerships.

> **Response:** The management of the Captain John Smith Chesapeake National Historic Trail will build on existing Chesapeake Bay Gateway Network partner agreements. These agreements will allow local partners to develop the trail with technical and financial assistance from the NPS office.
>
> The trail has a collaborative agreement with the non-profit organization, Friends of the John Smith Chesapeake Trail. The NPS will continue to partner with this organization during the implementation of the plan. Executive Order 13508 stresses the importance of interagency coordination and the NPS plans to work in conjunction with agencies such as the EPA and FWS.

Public Concern: Trail Administration and Management

Public comments were received expressing a preference for a management alternative with an approach broad enough to although flexibility in management in different locations along the trail. Comments included a concern that a broad approach may be difficult for NPS to fully fund or implement.

> **Response:** As described in the Project Agreement, the three purposes of the trail—see trail enabling legislation—will be addressed in the proposed management alternatives. One of the "givens" for management alternatives is that the preferred alternative is creates a plan that is applicable to the entire trail and its diverse resources. The preferred alternative will allow for local implementation and will build on local strengths and assets through the partnering process, which will provide flexibility in management.

Public Concern: Public Access to the Trail

Public comments were received expressing support for a management alternative that creates greater public access to the trail. This concern is for water access in addition to other modes of access.

> **Response:** Executive Order (EO) 13508 identifies public access as a key challenge for protecting and restoring the Chesapeake Bay. In Section 202e the EO recommends to "expand public access to waters and open spaces of the Chesapeake Bay and its tributaries from Federal lands and conserve landscapes and ecosystems of the Chesapeake Bay watershed." The CMP will explore options for additional public access at National Wildlife Refuge sites, as per the EO recommendation that other federal agencies increase public access to the bay.
>
> Currently the trail is a network of water trails and is primarily experienced by boat. In some areas, roads that follow the historic water route are marked as an auto tour to provide non-boaters the ability to experience the trail and to provide connections between segments. An Alternative

Transportation System inventory and analysis is currently being developed that will examine potential linkages between dedicated bike and/or hike routes, mass transit systems and trail access sites. In addition, information from public access studies prepared by the VCR and MDNR will be accounted for in the plan.

To see the full list and a complete summary of the 2008 and 2009 public workshops and all relevant public CMP/EA planning documents, please visit:

http://parkplanning.nps.gov/projectHome.cfm?parkId=466&projectId=18545

CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL - Voyage Stop Settings

Map ID Number (Stop Date)	Stop Name (blue rows) Nearby Public Lands / Potential Trail Resources (white rows)	Location (County)	Interpretation Potential	Public or Private Ownership	Public Boat Access	NPS site, NHL, Nat'l Reg., FWS	Overlaps Existing/ Proposed WaterTrails
	JOHN SMITH VOYAGE I: JUNE 2 -- JULY 21, 1608						
6.2:1	Cape Henry (left supply ship for barge)						
	First Landing State Park	Virginia Beach, VA	X	public	X		
6.3:1	Cape Charles						
6.3:2	Lower Barrier Islands						
	Smith Island	Northampton, VA		private			
	Mockhorn? WMA	Northampton, VA		public	trails		
6.3:3	Fisherman's Island						
	Fisherman's Island? NWR	Northampton, VA		public		FWS	
6.3:4	Accomack	Northampton, VA					
6.4:1	Cherrystone Inlet						
	Cape Charles Public Beach	Northampton, VA	X	public	swim, bank fish		
6.4:2	Nassawadox Creek	Northampton, VA		private			
6.4:3	Chesconnessex Creek						
	near Parkers March Natural Area	Accomack, VA	X	public			
6.5:1	Watts and Tangier Islands (*Russel's Isle*)			public / private	X		STSP
6.5:2	Beasley Bay						
	Saxis WMA	Accomack, VA	X	public	X		STSP
6.5:3	First downriver town on the Pocomoke, *Wighcocomoco*						
	Shelltown Boat Ramp	Somerset	X	public	X		
	Pitts Creek Landing	Accomack, VA	X	public	X		
6.5:4	Pocomoke City						
	Laurel Street Boat Ramp	Worcester, MD	X	public	X		
6.6:1	Tangier Sound						

** Italics indicates place name as recorded by John Smith*

Map ID Number (Stop Date)	Stop Name (blue rows) Nearby Public Lands / Potential Trail Resources (white rows)	Location (County)	Interpretation Potential	Public or Private Ownership	Public Boat Access	NPS site, NHL, Nat'l Reg., FWS	Overlaps Existing/ Proposed WaterTrails
	Cedar Island WMA	Somerset, MD	X	public (includes Great Fox Island)			
	Martin NWR	Somerset, MD	X	public		FWS	
6.6:2	Annamessex River						
	Janes Island State Park	Somerset, MD		public	X		
6.6:3	Manokin River / Deal Island						
	Deal Island WMA	Somerset, MD	X	public	X		
6.7-8:1	Bloodsworth Island (*Limbo*)						
	U.S. Naval Reservation	Dorchester, MD		public			
6.8:1	Wicomico River to the divide at monie Bay						
	Deal Island WMA	Somerset, MD	X	public	X		
6.8:2	Mouth of Nanticoke River: Roaring Point or Ragged Point						
	Fishing Bay WMA	Dorchester, MD	X	public	X		
	Nanticoke Park Landing	Wicomico, MD					
6.8:3	Ragged Point						
6.9:1	Mouth of Nanticoke River: Roaring Point or Ragged Point						
6.9:2	summer fishing camp of Nause						
6.9:3	Fishing Bay						
	Fishing Bay WMA	Dorchester, MD	X	public			
	Blackwater NWR						
6.9:4	Nause						
6.10:1	between the modern settlements of Bivalve and Tyaskin						
	Cedar Hill Park		X	public	X		
6.10:2	Up the Nanticoke, past the village *Nantaquack* , near modern Rabbit Town						
6.10:3	Chief's town of *Cuskarawaok* [*Kuskarawaok* on map] near present-day Federalsburg						
6.11:1	Nancy Point (*Momsfords Point*)on Lower Hooper Island						
6.11:2	Between Fishing Creek and Randle Cliff						
6.12:1	Herring Bay	Anne Arundel	all private land				

** Italics indicates place name as recorded by John Smith*

Map ID Number (Stop Date)	Stop Name (blue rows) Nearby Public Lands / Potential Trail Resources (white rows)	Location (County)	Interpretation Potential	Public or Private Ownership	Public Boat Access	NPS site, NHL, Nat'l Reg., FWS	Overlaps Existing/ Proposed WaterTrails
6.12:2	the mouth of the South River						
	Mayo Beach Park						
	Thomas Point Park	Anne Arundel	X	public			
6.12:3	the Magothy River at least to Sillery Bay		private land around bay				
6.12:4	the mouth of the Patapsco River at Old Road Bay						
	Fort Smallwood	Anne Arundel, MD	X	public	X		STSP
	Fort Howard	Baltimore County, MD	X	public			STSP
6.13:1	the modern port town of Elkridge						
	Patapsco Valley State Park	Anne Arundel, MD	X	public			
6.13:2	the first falls of the Patapsco near where I-95 crosses it today, a place he named '*Downs Dale*'	Anne Arundel, MD	X	public			
6.14:1	mouth of Patapsco, the tidal basin in what is now Baltimore						
	Fort Howard Park	Baltimore County, MD	X	public			
	North Point State Park	Baltimore County, MD	X	public			
6.15:1	Herring Bay	Anne Arundel, MD	all private land				
6.16:1	Cornfield Harbor						
	Point Lookout State Park	St. Mary's, MD	X	public	X		
6.16:1	Nomini Creek	Westmoreland, VA	all private land				
	LOWER POTOMAC, ascending the river. "It is more difficult to reconstruct John Smith's chronology after his stay in Nomini Bay, for he covers four weeks' explorations in a relatively few pages . . . without indicating times or sequences. Therefore at this point we shall switch from accounts of separate days to accounts of separate areas of the Potomac valley, and the map stops will be labeled according to geography rather than the date. "						
P.1	the *Yeocomico* River and the chief's town of *Cecomocomoco (* Wicomico River, MD*)*						

** Italics indicates place name as recorded by John Smith*

Map ID Number (Stop Date)	Stop Name (blue rows) Nearby Public Lands / Potential Trail Resources (white rows)	Location (County)	Interpretation Potential	Public or Private Ownership	Public Boat Access	NPS site, NHL, Nat'l Reg., FWS	Overlaps Existing/ Proposed WaterTrails
	Bushwood Wharf Recreation Area	St. Mary's, MD	X	public	X		Potomac River Water Trail (PRWT), PHT,
P.2	the *Potopacos* on the Port Tobacco River						
	Chapel Point State Park	Charles, MD	X	public	X		PRWT, PHT, STSP
P.10	Pomacocack village, Nanjemoy Creek						
	Friendship Landing	Charles, MD	X	public	X		PRWT, PHT, STSP
P.3	the Nanjemoys						
	near Purse State Park	Charles, MD	X	public	X		PRWT, PHT, STSP
P.4	"receiving a friendly welcome from the *Tauxenents* ('Toags,' or Dogues)"						
	Occoquan National Wildlife Refuge	Fairfax, VA	X	public	X	FWS	PRWT, PHT, STSP
	Featherstone NWR	Fairfax, VA		public		FWS	PRWT, PHT, STSP
	Leesylvania State Park	Prince William, VA	X	public	X		PRWT, PHT, STSP
	Mason Neck NWR	Fairfax, VA	X	public		FWS	PRWT, PHT, STSP
	Mason Neck State Park (Gateway)	Fairfax, VA	X	public	X		
P.5	Moyaone (Piscataway)						
	Piscataway Park (Gateway)	Prince Georges, MD	X	public	X	NPS	PRWT, PHT, STSP
	Fort Washington Park	Prince Georges, MD	X	public	X	NPS	
P.6	Nacotchtank -- into Anacostia River	Washington, DC					
	Anacostia Park	Washington, DC				NPS	PRWT, PHT, STSP
	Washington Navy Yard	Washington, DC					PRWT, PHT, STSP

** Italics indicates place name as recorded by John Smith*

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P.7	the Little Falls of the Potomac	VA / MD	X	public		NPS/ regional park	
	Chesapeake & Ohio Canal					NPS	
	George Washington Parkway					NPS	
P.11.2	Surrounding area of Aquia Creek or perhaps Beaverdam Creek						
	Acquia Landing Park (County Park)	Stafford, VA		public	X		
P.12	the town of *Ozatawomen* on Upper Machodoc Creek	King George, VA		private			
	U.S. Naval Reservation, Dahlgren Weapons Laboratory	King George, VA		restricted			
P.13	St. Clements Bay						
P.15	the *Sekakawons* on the Coan River						
7.15:1	Wiccocomico on the Great Wicomico River				X		
7.15:2	Ingram Bay						
7.16:1	Dividing Creek						
	Hughlett Point Natural Area	Northumberland, VA					
7.16:2	Fleets Bay (south shore)	Northumberland, VA	all private land				
7.17:1	the mouth of the Rappahannock	Middlesex, VA					
	Windmill Point	Lancaster, VA					
7.18-19:1	(rounded Old Point Comfort and) put in at Kecoughtan						
	Fort Monroe	Hampton City Co., VA		military			
7.20:1	Warraskoyack, near modern Smithfield		private, no public access				
7.21	Jamestown (end of voyage)						
JOHN SMITH VOYAGE 2: JULY 24 -- SEPTEMBER 7, 1608							
7.27:1	Stingray Point	Middlesex, VA					
7.28:1	Cove Point	Calvert, MD					
	Calvert Cliffs State Park, nearby		X				STSP
7.29:1	Old Road Bay						
	Fort Howard Park	Baltimore Co., MD	X				STSP
7.30:1	Past Turkey Point into the larger opening of the Northeast River						
	Elk Neck State Park	Cecil, MD	X				
	Charlestown Pier	Cecil, MD	X		X		

** Italics indicates place name as recorded by John Smith*

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7.31:2	Along the high cliffs east of Howell Point (Pisings Point) or just past the cliffs, in the lower ground near Betterton						
	Betterton Beach Waterfront Park	Kent, MD	X		X		
8.1:1	the Sassafras (*Toghwogh*) River, village of the Tockwoghs (probably on the headland jutting out the farthest on the south side)						
	Sassafras River Natural Resource Mgmt Area	Kent, MD	X	public, state owned			
8.2:1	up the Susquehannock River to the head of tide at "Smith's Falls"						
	Susquehanna State Park	Harford, MD	X		X		
8.2:2							
8.2:3	Susquehanna Flats						
8.3:1	The head of the Elk River		private land				
	Elk Neck State Park is downstream; see 7:30.1						
8.8:1	Village of Ozinies, Swan Point, Rock Hall Bay						
	Spring Cove Public Landing	Kent, MD	X	public	X		STSP
8.9:1	Cleared Love Point at the northern tip of Kent Island						
	Terrapin Nature Park	Queen Anne's, MD	X				STSP
8.9:2	Point Patience						
	Solomons Boat Ramp		X		X		STSP
	Calvert Marine Museum		X				STSP
8.11:1	On the Patuxent (*Pawtuxent*) River, to the tip of today's Merkle Wildlife Management Area, south of Kings Branch on the eastern shore						
	Merkle Wildlife Management Area	Prince George's, MD	X				STSP
8.11:2	Village of Mattpanient (*Mattpament* on map)						
	Patuxent River Park	Prince George's MD	X				STSP
8.12:1	Village of *Acquintanacsuck*	private land					
8.12:2	The eastern-bank village of *Opanient*	private land					
8.13:1	St. Jerome Creek	private land					

** Italics indicates place name as recorded by John Smith*

Map ID Number (Stop Date)	Stop Name (blue rows) Nearby Public Lands / Potential Trail Resources (white rows)	Location (County)	Interpretation Potential	Public or Private Ownership	Public Boat Access	NPS site, NHL, Nat'l Reg., FWS	Overlaps Existing/ Proposed WaterTrails
8.14?	Mouth of Rappahannock River						
	near Windmill Point	Gloucester Co.					
8.15-16:1	Moraughtacund village on the Rappahannock						
	Simonson Landing	Richmond Co., VA	X		X		
	Belle Isle State Park	Lancaster, VA	X	public	X		
8.17:1	the north shore of the Rappahannock, possibly neaer the mouth of Piscataway Creek						
	Wares Wharf	Essex, VA	X				
8.18:1	Beverley Marsh opposite Carters Wharf	Essex, VA					
	near Carters Wharf Landing	Richmond Co., VA	X		X		
8.18:2	Village of *Pissasec*	private land					
8.19:1	village of *Nandtaughtacund* , on the southeast side of the broad Port Tobacco Bay	private land					
8.20:1	village of *Cuttatawomen* , near modern Hopyard Landing	private land					
8.21:1	Fetherstone's Bay' -- may have been on the northeast side of Moss Neck	private land					
8.22:1	near Chatham Bridge						
	George Washingtons Ferry Farm	Kings, VA	X	private			
8.23:1	the downstream end of Hollywood Bar	private land					
8.23:2	Cuttatawomen	private land					
8.24:1	village of *Nandtaughtacund* , on the southeast side of the broad Port Tobacco Bay	private land					
8.24:2	village of *Pissaseck*	private land					
8.31:1	the Piankatank River by nightfall, probably at Fishing Bay						
	Hallie Ford Landing	Mathews, VA	X	private			
9.1:1	werowance's village of Piankatank						
	Deep Point Landing	Gloucester, VA	X				
9.2:1	up the Piankatank as far as Dragon Run, possibly as far as the straight section past the bends						
	Deep Point Landing	Gloucester, VA	X				
9.3:1	the mouth of the Poquoson River						
	Plum Tree Island National Wildlife Refuge	York, VA	closed to public			FWS	

** Italics indicates place name as recorded by John Smith*

Map ID Number (Stop Date)	Stop Name (blue rows) Nearby Public Lands / Potential Trail Resources (white rows)	Location (County)	Interpretation Potential	Public or Private Ownership	Public Boat Access	NPS site, NHL, Nat'l Reg., FWS	Overlaps Existing/ Proposed WaterTrails
9.4:1	Old Point Comfort						
	Fort Monroe	Hampton, VA		military			
9.7:1	arrived at Jamestown (end of voyage)						
	CHESAPEAKE BAY GATEWAYS in proximity to Voyage 1	**Location (Town)**					
	Annapolis Maritime Museum (formerly Barge House Museum	Annapolis, MD	X		X		
	Hoffler Creek Wildlife Preserve	Portsmouth, VA	X		X		
	Annacostia Community Park	Washington, DC	X	public			
	The Mariners' Museums	Newport News, VA	X				
	Piscataway Park	Accokeek, MD	X		X		
	Fort McHenry National Monument & Historic Shrine	Baltimore, MD	X	public	X		
	Mason Neck State Park	Loudon, VA	X	public	X		
	Chesapeake Bay Center	Grasonville, MD	X	public	X		
	First Landing State Park	Virginia Beach, VA	X	public	X		
	Historidc Annapolis Seaport	Annapolis, MD					
	Cape Charles Historic District	Cape Charles, VA	X		X		
	Pride of Baltimore II	Baltimore, MD	X	private			
	Lightship Chesapeake & 7 Foot Knoll Lighthouse	Baltimore, MD	X		X		
	Norfolk Water Trail System	Norfolk, VA	X		X		
	Elizabeth River Trail -- Atlantic City Spur						
	Potomac River Water Trail	VA, MD	X		X		
	Mathews Blueways Water Trails	VA	X		X		
	Jamestown Island	Jamestown, VA	X	public	X	NPS	
	Reedville Fishermen's Museum	Reedville, VA	X		X		
	Leesylvania State Park	Woodbridge, VA	X	public	X		PRWT, SSBT
	Point Lookout State Park	Scotland, MD	X	public	X		PRWT, SSBT
	James Island State Park	Crisfield, MD	X	public	X		
	Potomac Gateway Welcome Center	King George, VA	X				PRWT
	St. Clement's Island -- Potomac River Museum	Colton's Point, MD	X	public	X		
	Smith Island Center	Ewell, MD	X		X		SSBT
	Historic St. Mary's City	St. Mary's City, MD	X				
	Piney Point Lighthouse Museum and Park	Piney Point, MD	X		X		PRWT, SSBT

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Map ID Number (Stop Date)	Stop Name (blue rows) Nearby Public Lands / Potential Trail Resources (white rows)	Location (County)	Interpretation Potential	Public or Private Ownership	Public Boat Access	NPS site, NHL, Nat'l Reg., FWS	Overlaps Existing/ Proposed WaterTrails
	Kiptopeke State Park	Cape Charles, VA	X	public	X		
	Chippokes Plantation State Park	Surry, VA	X	public			
	Westmoreland State Park	Montrose, VA	X	public	X		
	George Washington Birthplace National Monument and Historic Shrine	Washington Birthplace, VA	X	public	X	NPS	
	Annapolis & Anne Arundel County Visitor Information Center	Annapolis, MD	X				
	North Point State Park	Edgemere, MD	X	public	X		SSBT
	Sandy Point State Park	Annapolis, MD	X	public	X		SSBT
	Historic London Town and Garden	Edgewater, MD	X		X		
	Captain Salem Avery House	Shady Side, MD	X				SSBT
	Mason Neck National Wildlife Refuge	Lorton, VA	X	public	X	FWS	SSBT, Potomac River
	Chesapeake Beach Railway Museum	Chesapeake Beach, MD	X				SSBT
	Flag Ponds Nature Park	Lusby, MD					
	Smallwood State Park	Marbury, MD	X	public	X		SSBT, Potomac River
	Eastern Shore of Virginia National Wildlife Refuge	Northampton, VA	X	public		FWS	
	Norfolk Water Trail System	Norfolk, VA	X		X		
	Gwynns Falls Trail and Greenway						
	Fort Washington Park	Fort Washington, MD	X	public	X	NPS	
	Stratford Hall Plantation	Westmoreland, VA		private			PRWT
	Powhatan Creek Blueway	Williamsburg, VA	X		X		
	J. Millard Tawes Historical Museum & Ward Brothers Workshop	Crisfield, MD	X		X		
	Nauticus National Maritime Center	Norfolk, VA	X	public			
	Virginia Living Museum	Newport News, VA	X				
	Caledon Natural Area	King George, VA	X	public			SSBT, Potomac River
	Occoquan Bay National Wildlife Refuge	Woodbridge, VA	X	public		FWS	
	Calvert Cliffs State Park	Lusby, MD	X	public			SSBT
	Parker's Creek Watershed Nature Preserve						
	Galesville Heritage Society Museum						
	Baltimore Visitor's Center	Baltimore, MD					

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Map ID Number (Stop Date)	Stop Name (blue rows) Nearby Public Lands / Potential Trail Resources (white rows)	Location (County)	Interpretation Potential	Public or Private Ownership	Public Boat Access	NPS site, NHL, Nat'l Reg., FWS	Overlaps Existing/ Proposed WaterTrails
	Virginia -- Eastern Shore Water Trails	Accomac / Port Hampton	X	private/ public	X		
	C&O Canal National Historical Park	Washington, DC	X	public		NPS	Potomac River
	CHESAPEAKE BAY GATEWAYS in proximity to Voyage 2	**Location (town)**					
	Jefferson Patterson Park and Museum	St. Leonard, MD	X	public	X		SSBT, Patuxent
	Solomons Visitor Information Center	Solomons, MD	X				SSBT, Patuxent
	Susquehanna State Park	Jarrettsville, MD	X	public	X		
	Susquehanna River Trail -- Lower	MD	X		X		
	Chesapeake Biological Laboratory (UMCES)	Solomons, MD	X		X		
	Terrapin Park	Staensville, MD	X				
	James Mills Scottish Factory Store	Urbanna, VA	X				
	Belle Isle State Park	Lancaster, VA	X	public	X		
	Calvert Marine Museum	Solomons, MD	X	public	X		SSBT, Patuxent
	Havre de Grace Decoy Museum	Havre de Grace, MD	X				
	Elk Neck State Park	North East, MD	X	public	X		
	King's Landing Park	Huntingtown, MD	X		X		SSBT, Patuxent
	Battle Creek Cypress Swaamp	Prince Frederick, MD	X	public	X		SSBT, Patuxent
	Sotterley Plantation	Hollywood, MD	X	public	X		
	Susquehanna Museum of Havre de Grace	Havre de Grace, MD	X		X		
	Concord Point Lighthouse	Havre de Grace, MD	X				
	Greenwell State Park	Hollywood, MD	X	public	X		SSBT, Patuxent
	Merkle Wildlife Sanctuary	Upper Marlboro, MD	X	public			SSBT, Patuxent
	Jug Bay Natural Area						
	Dundee & Saltwater Creeks County Park						
	Sassafras NRMA & Turner's Creek Park						

** Italics indicates place name as recorded by John Smith*

Captain John Smith Chesapeake National Historic Trail

Early Trail Implementation Projects (through 2009)

PROJECT TITLE	PARTNER	PROJECT DESCRIPTION	STATUS
Exploring the Landscape of the Early 17th Century Chesapeake	NPS, PA State University, Smithsonian, CBMM, Historic St. Mary's City	Web-based program uses photorealistic landscape visualization technology to allow visitors to track Smith's journeys, learn about the native American inhabitants, and explore dramatic changes in the Bay through time.	Completed 2007
Survivor: Jamestown	Virginia Living Museum, Newport News, VA (NPS funding)	This highly interactive exhibit explores how difficult life was for early European settlers in Virginia, and how different the Chesapeake environment was four hundred years ago as compared to today.	Completed 2007
The Old New World: Re-creating a Chesapeake Indian Village	First Landing State Park, Virginia Beach, VA (NPS funding)	In a joint effort with the Nansemond Indian Tribe, the park developed an authentic Virginia Algonquian Indian Village that includes a chief's house, a sweathouse, and areas devoted to food preparation and crafts. Interpretive materials focus on the culture of the Chesapeake Indians and their connections to the Chesapeake Bay.	Completed 2007
Interpretive Signage Project	Lawrence Lewis Jr. Park, Charles City, VA (NPS funding)	A series of interpretive panels describe the natural and cultural world of the Chesapeake in the early 1600s.	Completed 2007
Develop and launch NPS.GOV CAJO Website	NPS www.nps.gov/cajo	This website serves as a portal for visitors to access an introduction to the themes and purposes of the Trail, as well as information on Trail planning and management.	Completed 2007
Develop Unigrid Brochure	NPS	The tri-fold, full-color leaflet provides an overview of the Trail, including a notation regarding the trail planning process. The leaflet was available in time for the May 2007 launch of Trail.	Completed 2007
Develop Traveling Exhibits	NPS	A series of free-standing exhibits outline the routes of Smith's explorations and provide basic information regarding the Trail and its development.	Completed 2007
Shallop Reenactment Voyage	Sultana Projects, Inc. Chestertown, MD	A crew of modern explorers retraced Captain John Smith's 1608 Chesapeake expedition traveling in a replica shallop. NPS participated in numerous community events along the reenactment route, provided a companion website and curriculum materials.	Completed 2007
Patuxent Encounters	Jefferson Patterson Park and Museum St. Leonard, MD (NPS funding)	A multi-faceted program about Patuxent Indians and Captain John Smith includes: pre-European village, wayside exhibits, print and web-based materials, seven-part speaker series, and a two-day festival coinciding with the arrival of the shallop.	Completed 2008
Interpretive Trails: John Smith's Adventures on the James River, John Smith's Adventures on the Pamaunk Flu	Virginia DCR, Virginia Toursim Corp. Richmond, VA (NPS funding)	Interpretive auto and water trails with signage, maps, and collateral materials regarding Smith's explorations in Virginia during 1607-1609. More than 35 points of interest interpret the early colonial experience in the region. A website links to educator resources.	Completed 2008
Chesapeake Bay Interpretive Buoy System (CBIBS)	NOAA & Trail Partners	Placement of interactive buoys along the Trail route. As of January, 2010 there are 7 bouys in place. The buoys collect real-time data for scientific, educational, and recreational uses. In addition, the buoys also provide interpretive information about the bay in Smith's time.	Completed 2008

Captain John Smith Chesapeake National Historic Trail

Early Trail Implementation Projects (through 2009)

PROJECT TITLE	PARTNER	PROJECT DESCRIPTION	STATUS
Chesapeake Bay Interpretive Buoy System (CBIBS)	NOAA & Nauticus	Install a land kiosk that is electronically "tethered" to the Elizabeth River "smart buoy" (part of CBIBS).	Completed 2008
Reading the Signs: Changes to the Chesapeake Bay since Its Exploration by Captain John Smith	Jefferson Patterson Park and Museum St. Leonard, MD (NPS funding)	This project combines research and educational programming to document and interpret the changes to the Chesapeake Bay watershed since the seventeenth century. An archaeological collection is paired with existing research to create a curriculum-based program for middle school students featuring classroom, field, and laboratory components.	Completed 2009
Captain John Smith Chesapeake NHT Signage	Sailwinds Visitor Center, Cambridge and Vienna, MD (NPS funding)	Interpretive signage at the Sailwinds Visitor Center orients visitors to trail exploration opportunities in Dorchester County, highlighting the Nanticoke River. In Vienna, additional interpretive signage focuses on Smith's voyages, Vienna's history, and important visitor services information.	Completed 2009
Develop and launch smithtrail.net CAJO website	NPS	Smithtrail.net complements the nps.gov/cajo website, providing web services including interactive maps for trip planning, resources for educators, information for kids, and information about trail partners.	Ongoing
Virginia State Parks in America's First Region: Recreation and Stewardship along the Captain John Smith Chesapeake NHT	Chippokes Plantation, First Landing, Kiptopeke, and York River State Parks Hampton Roads, VA (NPS funding)	New interpretive signage will highlight the ecological history of the Chesapeake Bay and river watersheds. The project will provide teacher training and field-based educational experiences for students, as well as public "paddlefests" to promote safe, responsible boating.	Ongoing
Mount Landing Creek Water Trail	Rappahannock River Valley NWR, Tappahannock, VA (NPS funding)	A new water trail guide will address important wildlife habitats and the connection of the Rappahannock River to the Chesapeake Bay. Interpretive wayside exhibits will link the site to Smith's 1608 exploratory voyages.	Ongoing
John Smith's Adventures on the Rappahannock	Friends of the Rappahannock Virginia DCR (NPS funding)	Development of a water trail along a portion of the Rappahannock is being coordinated by the Friends of the Rappahannock in cooperation with the Virginia Department of Conservation and Recreation. The water trail will cover historical paddling trips from Kelly's Ford to the Fredericksburg City Docks – the middle section of the river.	Ongoing
Captain John Smith's Explorers' Camp	Mason Neck State Park, Lorton, VA (NPS funding)	A one-week summer day camp provided free of charge for 150 at-risk youths. Campers explore the park's rich historical, cultural, and natural resources in a layered outdoor educational experience that supplements the state's Standards of Learning for History and Science.	Ongoing
American Indian Interpretive Brochure	Piscataway Park, Accokeek, MD (NPS funding)	A four-color brochure, developed in consultation with Native American scholars, presents a series of brief explanations of the ancestral Piscataway presence at Accokeek, the effects of the colonial period, and the continuing legacy of indigenous presence at Accokeek.	Ongoing

Captain John Smith Chesapeake National Historic Trail

Early Trail Implementation Projects (through 2009)

PROJECT TITLE	PARTNER	PROJECT DESCRIPTION	STATUS
Before the Lees: 17th Century Environmental and Cultural History at Stratford Hall	Stratford Hall Plantation, Stratford, VA (NPS funding)	New wayside exhibits focus on the colonial environment of the Stratford site and on the early European inhabitants who occupied the area. The exhibits emphasize the Chesapeake Bay and its ecology during the early days of European settlement, and how colonists interacted with the environment.	Ongoing
Nanticoke River Water Trail Phase I Development	Nanticoke River Water Trail, Seaford, DE (NPS funding)	A detailed water trail map and guide will include information on existing public access, GPS points, river features, area services, and watershed characteristics. Signs and trail markers will be installed to direct visitors and identify existing access areas.	Ongoing
Enhanced Access Project	Piney Point Lighthouse, Museum and Historic Park, Leonardtown, MD (NPS funding)	A new floating, step-down platform will facilitate the launching and retrieval of kayaks in a protected creek off the Potomac River. Interpretive components will highlight the values of the associated wetlands environment.	Ongoing
John Smith Trail Expeditions and John Smith's Shallop	Schooner Sultana, Chestertown, MD (NPS funding)	Using a fleet of canoes and kayaks, guides will take students, teachers, and members of the general public out for single- and multi-day educational trips on portions of the Captain John Smith Chesapeake NHT. Also, Sultana Projects will partner with the Calvert Marine Museum to host a seven-month exhibit of the John Smith shallop to help visitors better understand the historical context and impact of Smith's voyages.	Ongoing
James River Water Trail Stewardship Planning and Educational Outreach	Lower James River Water Trail, Richmond, VA (NPS funding)	This project will further develop the water trail on the lower James River through interpretive programs, conservation analysis, and outreach to landowners along the trail. Guided educational trips will be provided on the river, with a member of the Chickahominy Tribe providing the Native American perspective.	Ongoing
Boaters Guide to the Captain John Smith Chesapeake NHT	Friends of the John Smith Chesapeake Trail, The Chesapeake Bay Foundation (NPS funding)	An online guide to boating the first national water trail. Author John Page Williams describes Smith connections and indentifies access points and types of vessels for exploring segments of the trail.	Ongoing
Ferry Point Trail	Chesapeake Exploration, Kent Island, MD (NPS funding)	Interpretive signage along trail and map guide will highlight Captain John Smith's time near the Chester River	Initiated 2008
From This Spot You Can See Over 400 Years of History	Annapolis Maritime Museum, Annapolis, MD (NPS funding)	Interpretive panels along the water's edge will highlight cultural and landscape changes that have occurred on the Chesapeake Bay as viewed from this site during the last four hundred years.	Initiated 2008
Improve Existing Trailheads Through Signage Development	Elk Neck State Park, North East, MD (NPS funding)	New interpretive signage will highlight Chesapeake Bay ecology and Bay stewardship, Smith's 1608 explorations, and the Turkey Point Lighthouse	Initiated 2008

Captain John Smith Chesapeake National Historic Trail

Early Trail Implementation Projects (through 2009)

PROJECT TITLE	PARTNER	PROJECT DESCRIPTION	STATUS
Beyond Jamestown: Life 400 Years Ago	Havre de Grace Maritime Museum, Havre de Grace, MD (NPS funding)	Interior exhibits and teaching stations will highlight the historical significance of Captain Smith's voyages, the lifeways of the native Susquehannock culture, and continued European settlement to 1660, showcasing the pre-contact environment of the upper Chesapeake Bay. Exterior exhibits will guide visitors from the pier on the Susquehanna Flats to the Maritime Museum, introduce the history andd culture of the area, and orient visitors to other local Gateways.	Initiated 2008
Chesapeake Bay Gateways Youth Corps	Virginia DCR, Virginia State Parks Richmond, VA (NPS funding)	The Chesapeake Bay Gateways Youth Corps is an opportunity to actively foster citzen stewardship of the Chesapeake and improve public access along the CAJO NHT by engaging volunteer youth teams and supervisors in work projects and environmental education at 10 Virginia State Park locations. Teams will live and work at each Gateway location for three weeks and develop stewardship ethics through active participation in resource management.	Initiated 2009
Chester & Sassafras River Water Trail	Schooner Sultana Chestertown, MD (NPS funding)	This project will foster the development of a water trail on portions of the Chester and Sassafras Rivers. The "Chester and Sassafras River Water Trail" project will provide safety information that will attract and encourage environmentally sensitive trail use. Appropriate portions of the trail can also serve as a contributing segment of the Captain John Smith Chesapeake National Historic Trail.	Initiated 2009
Tidewater Education Program	Mount Harmon Plantation Earleville, MD (NPS funding)	This project will develop and launch a new Tidewater Education Program, geared to school age students in grades 4-6, to provide engaging hands-on experiences in the plantation's Tidewater history, ecology, and stewardship. This project will allow Mount Harmon to provide education field trip opportunities along the Captain John Smith Chesapeake National Historical Trail for area school students and visitors.	Initiated 2009
Chickahominy River Water Trail	The James River Association Richmond, VA (NPS funding)	This project will provide opportunities for recreation, interpretation, education, and conservation along 77 miles of the Chickahominy River. The river is a major tidewater tributary of the James River and Chesapeake Bay and the river represents the place where Captain John Smith traded with American Indians for food, which saved the colony. It is also along the James River where Smith was ultimately captured by Virginia Indians in December 1607.	Initiated 2009

Water Trail Toolbox
National Park Service
Chesapeake Bay Gateways and Watertrails Network

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How to Plan, Build, and Manage a Water Trail

Establishing a water trail seems like an obvious and natural thing to do to foster interest in the Chesapeake Bay and its tributaries. It takes a lot of hard work, determination, and dedication to create and maintain a water trail. To help you, the Chesapeake Bay Gateways Network provides these step-by-step guidelines—the ABCs of planning, building, and managing a water trail. Each of the three sections has a brief opening page and a list of links that examine the subjects in greater detail.

What Is a Water Trail?

Water trails connect scenic and historical sites along a riverway, lakeshore, or bay coastline for the recreational and educational benefit of paddlers, boaters, and other water users. Water trails typically include points of interest, access locations, day-use sites, and camping areas that are shown in a map-and-guide brochure or booklet. Trails may include both public and private lands with varying restrictions. Camping, for instance, may be restricted on some trails to those traveling by self-propelled craft and be open on other trails to powerboat users.

Why Establish a Water Trail?

Water trails apply and promote the following principles:

- **Partnerships.** Private property owners, land managing agencies, regulatory agencies, user groups, and local businesses form partnerships to create and maintain a water trail.
- **Volunteerism.** Dedicated individuals and volunteer organizations do most of the work creating, promoting, and maintaining water trails.
- **Stewardship.** Water trails espouse minimum-impact practices and the Leave No Trace Code of Outdoor Ethics for waterways and adjacent lands. They cultivate stewards of the water, land, vegetation, wildlife, and other resources.
- **Education.** Serving as outdoor classrooms, water trails promote an awareness of the natural and cultural attributes of the Chesapeake Bay and its tributaries through experiences involving the senses.
- **Conservation.** Water trail activities support the conservation of the aquatic ecosystem and contiguous lands and build a constituency of resource protection and restoration advocates and watchdogs.
- **Connecting People and Places.** Water trails connect individuals, families, and groups with a variety of hiking trails, bikeways, greenways, museums, historic sites, parks, and preserves. They cultivate a sense of place and love of community.
- **Diversity.** Water trails benefit the able-bodied and the disabled, the young and the old, the disadvantaged and the advantaged. Through shared work and play, they foster tolerance and understanding.

- **Wellness and Well-being.** Water trails provide wholesome, fresh-air activities that promote the physical fitness and health of participants.

A. Planning a Water Trail

Turning the idea of a water trail into a reality will depend on the thoroughness of your planning. This section provides advice on getting started, developing grassroots support, and drafting a plan for building the trail.

A.1 Getting Started

Here are a few tips on how to launch your water trail project:

Establish a Core Group
Form a strong core group of similarly inclined individuals and representatives of organizations who are keenly interested in establishing a water trail and will share in the workload.

Create a Vision
Develop a vision statement that describes the desired future condition of the water trail and how the group wants to proceed. Members of the core group may have different ideas on what the trail actually should be. Reaching a consensus on a vision statement will help build a sense of ownership and commitment.

Define the Mission
Create a mission statement that defines the role of your group in reaching your vision for the water trail. This statement can help keep the group focused and introduce and explain it to others. The mission statement should be clear and concise—ideally, no more than 25 words.

Establish Partnerships
Use the vision and mission statements to establish partnerships with local governments, community organizations, state natural resource agencies, private property owners, and user groups such as paddlers' clubs and anglers. Partners should be willing to share in the responsibility for getting the actual work done.

Form an Advisory Committee
Create an advisory, or steering, committee composed of the core group and the initial key partners to generate a long-term development and management plan for the trail and if appropriate, formally establish a permanent water trail organization.

A.2 Garnering Community Support

With the basic organization in place, the advisory committee should begin expanding the constituency and supporters for the water trail. The trail will not succeed without widespread community support. It's time to identify stakeholders, gather data supporting the initiative, recruit volunteers, and raise funds.

Identify Stakeholders
Identify all individuals and groups in your community that could have an interest in or be affected by the creation of the water trail. They are your stakeholders. Some stakeholders may become partners—those who will work jointly on shared goals. Others may become sponsors—those who support the trail with funds, resources, or expertise. Some may become opponents of the trail. To be successful, you must understand and address the interests and concerns of all of these stakeholders.

Gather Data
Conduct a feasibility study. Identify needs, problems, and opportunities. Determine the funds and other resources required to establish and maintain the trail. Create a development plan and budget. Your best

case for your trail system will be one that articulates benefits to the community.

Communicate with Stakeholders
Conduct face-to-face interviews with community leaders, meet with focus groups, mail a survey to all landowners that may be affected by the proposed water trail, conduct public forums and meet one-on-one with water trail opponents. Develop a variety of ways to communicate with the different kinds of stakeholders.

Establish a Formal Organization
Consider establishing, after gaining sufficient community support, a permanent organization to implement the development and management plans and to carry out fundraising and personnel initiatives, including the hiring of a professional staff. Members of the advisory committee may well become officers and directors of the new organization. An alternative to establishing a formal organization would be to have one of your partners "adopt" the water trail as an ongoing project.

Recruit Volunteers
Enlist volunteers to carry out day-to-day stewardship tasks and special development projects. Your organization cannot succeed without a solid corps of volunteers. Use their expertise so their tasks are meaningful. Recognize their contributions.

Raise Funds
Develop a fundraising plan based on projects in your development plan. Focus first on obtaining contributions of money, services, products, and labor from the local community. Then, extend your fundraising efforts to a larger, regional audience and to state and federal agencies and foundations that provide grants.

Identify Stakeholders

Water trails touch many shores: private landowners, government agencies, organizations, towns, businesses, conservation and recreation groups, historical and cultural groups, paddlers and other water sports enthusiasts. All of them may be stakeholders—individuals and groups that may affect or be affected by the proposed trail.

Stakeholders provide vital information about what is important to them. Your success may well depend on how much you involve them in the planning process, in resolving conflicts, and in developing a consensus.

Sometimes one stakeholder will view another stakeholder's need as a problem while a third will look at it as an opportunity or a different kind of need. For instance, a canoe paddlers' group might propose increasing the number of access points to the waterway. A farmer or riparian landowner may oppose adding access points because paddlers might camp on private lands and litter the landscape. A third stakeholder, however, might view increased usage as an opportunity to open a bed and breakfast or to establish a community park along the waterway.

The advisory, or steering, committee should identify the stakeholders and make notes of key players. Be sure to include those who may oppose the water trail project as well as those who are likely to support it.

Several key groups of stakeholders should be approached:

> **Adjacent Landowners.** Individuals, businesses, and public agencies that own land along the waterway will definitely have a vested interest in the water trail project. Approach them early in the planning process. Gaining their insights, addressing their problems and needs, and building their support will pay huge dividends later on.

Trail Users. Water trails can accommodate boaters, fishermen, swimmers, and streamside users such as hikers, cyclists, hunters, horseback riders, picnickers, campers, and birdwatchers. Identify and approach paddlers' clubs and powerboat associations, outfitters and guides, cycling and hiking groups, naturalist and sportsmen groups, boating shops and marinas. Listen to their suggestions and encourage them to become active participants in the planning process.

Governmental Agencies. Federal, state, and local agencies will be very important partners. Enlist the help of conservation, recreation, and transportation officials who manage programs that might assist in developing the trail. They may be able to provide advice about resource inventories, access facility development, technical and financial assistance programs, and environmental or historic compliance issues.

These state program officials will help you coordinate with other conservation efforts near the water trail, and will help you connect with parallel efforts on other water trails in your state to learn from their experiences.

- Maryland Department of Natural Resources – Greenways and Water Trails Program (http://www.dnr.state.md.us/greenways/watertrails.html)
- New York Department of Environmental Conservation (http://www.dec.ny.gov/admin/messages/404oldsite.html)
- Pennsylvania Fish and Boat Commission – PA Water Trail System (http://www.fish.state.pa.us/mpag1.htm)
- Pennsylvania Environmental Council – Water Trail Assistance Program
- Virginia Department of Conservation and Recreation (http://www.dcr.virginia.gov/)

Communities and Elected Officials. Communities served by the proposed trail will have a stake in its success and will want to take action to benefit from the water trail and minimize any negative impacts. The local tourism office, chamber of commerce, businesses, and officials can become significant trail partners and supporters. Local officials often are the key people to work with to gain access to a site, funding, and technical support. Be sure to inform them of any controversies and public opposition. Invite them to participate in ribbon cuttings and other events.

Nongovernmental Organizations. Water trail associations, environmental groups, land trusts, boater advocacy groups, scouts, and other groups involved in community affairs may become an important part of your user and volunteer bases. Some may even become partners or sponsors.

Communicate with Stakeholders

Communicating with stakeholders is best done face-to-face, but use every tool at your disposal to get the job done. Go to their meetings, visit their homes, appear before the town council and the planning board, meet with them at the government agency office, visit them at their places of business, take part in their recreational activities, stay at the local bed and breakfast, or have lunch with them at the diner.

Let people show you features associated without the waterway. Ask citizens to hold a coffee klatch or backyard barbecue so their neighbors can meet you and ask questions. Afterwards make a list of their problems, needs, and opportunities.

Interviews. Interview community leaders and other influential members of the community. Provide a clear, realistic plan of action, including anticipated ramifications and implications for the community. Then, interview them using a list of standard questions and documenting the answers.

Focus Groups. Use focus groups to seek opinions about specific management, infrastructure, development issues and potential conflicts. Typically, six participants or local experts and a moderator participate in a 90-minute, audiotaped discussion. This session can be a private or in front of an audience. At the end of the discussion, allow the audience to ask questions. The objective is to get the best advice in a short amount of time. Such sessions help you, honor the participants, and increase the project's public credibility.

Surveys. Mail a survey to all landowners that may be affected by the water trail. Surveys are most effective and credible when a professional conducts them, but that can be costly. With your survey include maps, vision and mission statements, a chronology of what has transpired to date, answers to the most common questions, and a cover letter that is as personal as possible. Invite recipients to contact you by telephone or other means. Do a follow-up call or postcard seven to ten days after mailing the surveys.

Public Forums. Properly conducted—and well attended—public forums provide an excellent means of presenting plans to a community, receiving personal reactions, and gaining support for the project. Be sure to keep any promises that you make to the public!

Conducting a Public Meeting

Public forums provide an excellent means of presenting plans for developing a water trail to a community. Here are a few tips on drawing a good size crowd and structuring the meeting so it does not get out of control.

Drawing a Crowd. To draw a crowd, pull out all the stops:

- Encourage your partners to contact influential members of the community to support your meeting.
- Use the local press to announce your meeting. Most state press associations have a membership list on their website.
- Consider using a little controversy to bring fence sitters to the meeting. For instance, the Maine Island Trail Association attracted a record crowd to a forum with this message: "Come to an important public meeting that will affect your future access to Maine's public islands!"
- Post announcements of meetings on local bulletin boards.
- Use a call-a-thon or phone trees to alert stakeholders.
- Send out postcards two months in advance and a meeting announcement three or four weeks in advance. To the folks who reply or inquire, send an agenda and other materials a week or two in advance.

Structuring the Meeting. Plan ahead so the meeting runs smoothly:

- Choose a neutral, convenient, and large enough meeting room.
- Greet people as they arrive, thank them for their interest, and provide nametags.
- Use a tight agenda that gets straight to the point.
- Use a facilitator to conduct the meeting and keep it on track.
- Have the organization's most succinct and dynamic speaker begin the meeting with a concise overview.
- Use other presenters whose information is critical. Allow questions and comments between presenters to avoid losing the audience.
- Use flip charts and other visuals to present topics you want the audience to discuss.

- Organize interactive sessions, including review of general maps of the area, to gather information from meeting participants on key topics such as existing and needed access sites, available facilities, points of interest, hazard areas, appropriate water levels, etc.
- Wrap up the meeting with a brief summary of conclusions, agreements, action items, and next steps. Do not over-promise.
- Reaffirm the importance of the public process and attendees' participation.
- Follow-up the meeting in a timely way by sending out minutes, a list of action items, and an announcement of the next meeting to community leaders and news organizations.

The Art of Facilitation. Your facilitator should make a point to:

- Call on as many attendees as possible (especially the quiet ones).
- Enliven the discussion.
- Consider setting ground rules for the meeting (such as one person speak at a time, and respect others opinions)
- Keep things on track.
- Be mindful of time.
- Allow for disagreement without contentiousness.
- Find areas of consensus.
- Gracefully manage the long-winded participants.
- Insist on being helped by a note-taker and a timekeeper

Formalizing the Organization

As your work proceeds from planning into implementation and long-term management, you will need a more formal and durable organizational structure to manage the organization. Implementing plans, raising and spending funds, generating and managing volunteers and staff members—all require day-to-day and long-term managerial skills. First, decide what the real work of your group is going to be. Is your group really a coalition or alliance of partners? Could one partner serve as coordinator and another as the fiscal agent and fundraiser?

Will a state, regional, or local agency eventually become responsible for managing the trail? If so, will your group focus primarily on support, such as organizing volunteers, inviting public involvement, and raising money for special projects? That type of venture might be called a "friends group," a nonprofit organization called a 509 (a) organization by the Internal Revenue Service that is closely associated with a public agency and can accept charitable donations. Friends groups often form later in the whole process, after a trail has already been established.

Here are two options to consider:

Partner with an Existing Organization. Using an existing nonprofit organization, such as a land trust or another trail group, to build and manage your water trail is not uncommon. An agreement could allow both organizations to share such resources as office space, equipment, and administrative services. You also could obtain many nonprofit advantages without the need to apply for your own 501c3.

Many successful nonprofit organizations begin as a project of another organization. Before agreeing to a joint venture, however, make sure the partner organization is one whose mission and interests are sufficiently supportive of water trails. Be sure there is a clear understanding of the roles of each entity.

Talk with local and state agencies and conservation organizations--and seek legal advice.

Establish a New Nonprofit Organization. Creating a newly chartered nonprofit organization with a board of directors and an executive director and staff has several advantages, especially in raising funds. An uncomplicated, single-named organization enhances public recognition when you approach landowners, public agencies, other organizations, and potential donors. Get legal assistance to make sure your organization has met all of the U.S. Internal Revenue Service and state requirements to qualify as a tax-exempt 501c3 entity.

Roles and Responsibilities

Whether you decide to become a friends group, part of a coalition, or a project of an existing nonprofit organization, the board of directors or executive committee will be accountable for overseeing the organization's budget, planning, operating policies, personnel matters, projects, and financial stability.

Be careful to recruit board members who have the skills and enthusiasm to pursue the organization's mission. Look for water trail enthusiasts who are also accountants, public relations professionals, engineers, planners, attorneys, or community leaders.

The evolution of most boards of directors follows a three-step pattern:

Steering Committee. Sometimes the people who are most helpful initiating the water trail effort do not want to be involved in building and managing the trail. Public officials and business leaders, for example, might be willing to serve on the steering committee during the trail's formative stages, but they might not have the time to serve on the board of directors.

Working Board. Most young water trail organizations have few or no staff members. The board of directors has to tackle everything from answering the mail to writing newsletters, from keeping the books to choosing access sites along the trail. At this point, board members must have the time, energy, and interest to keep the project moving forward.

Governing Board and Staff. At some point in their development process, many trail organizations become staff-led operations. This does not mean that the board is absolved of responsibility. It means the role of the board changes. The board delegates program implementation and decision-making authority to an executive director and staff. The board now focuses its attention on planning, fundraising, and governance of staff activities.

The executive director hires, fires, and directs all staff members. Board members approve budgets and employment policies, adopt strategic and operating plans, and accompany staff members at meetings with potential donors.

How Boards Work. One of the most convenient ways for boards to work is to form permanent committees responsible for management policies, finances, and personnel and to form temporary committees to oversee special projects and studies.

Recognizing Value of Volunteers

Never underestimate the value of volunteers! A single volunteer can cause more change in a community than a government agency or an organization. A whole corps of dedicated volunteers can do wonders.

- Whether they volunteer out of passion or are specifically recruited for their expertise, they play key roles in the organization. Do not take them for granted.
- Give them productive, meaningful tasks that are integral to achieving the goals of the water trail project.

- Lead by example. Be willing to do anything and everything you ask volunteers to do. Participating in work projects and other activities can inspire loyalty to the organization and its mission.
- Support and acknowledge their efforts throughout a project.
- Periodically ask for their suggestions to improve the organization.
- Offer them opportunities for training.
- Recognize their contributions with a genuine "thank you" and an award.
- Continually recruit new volunteers to infuse energy and new ideas into the organization.

The Maine Island Trail Association, which depends on several hundred volunteers to care for more than 130 islands and sites in its 300 miles-plus trail system, has developed volunteer training and recognition to a science (www.mita.org).

Fundraising Tips

Building a water trail takes money. Before launching a campaign to get the money, make sure you have a sound business plan and fundraising plan. The business plan will give you an idea how much it will cost to build and maintain the trail year after year. The fundraising plan will delineate a variety of ways to approach potential donors. State economic development offices and university business schools can help you draft these plans.

- Figure your costs realistically. Building an access point or campsite with volunteers will still cost some money for materials, transportation expenses, and professional advice. Be realistic about your costs and even factor in a percentage for cost overruns.
- Establish short-term and long-term development goals. Some donors may respond to a practical, easy-to-accomplish project. Others may respond to the vision of establishing the overall water trail.
- Before asking for your first dollar, attain a 501(c)(3) not-for-profit status so you can be eligible to receive funds. For information, see the Internal Revenue Service's Publication #557, "Tax Exempt Status for Your Organization," (*www.IRS.gov*).

Pursue all Funding Sources. Start your fundraising campaign close to home and seek out a variety of sources, so your organization does not become dependent on one revenue stream.

Local municipalities, civic groups, businesses, and interested individuals are potential contributors of money and in-kind products, services, and labor. A construction company might be willing to provide equipment or gravel at cost, or free, and save you thousands of dollars in constructing a campsite.

Be creative. Have some fun. Stage a regatta or hold an auction. Such events can net hundreds or thousands of dollars—and cultivate grassroots support for your water trail.
*The Grassroots Fundraising Journa*l, published by Chardon Press (www.grassrootsfunding.org), and River Network (www.rivernetwork.org) provide advice on initiating campaigns close to home.

Then, broaden your fundraising appeals. Talk with conservation partners and other groups about local, state, and federal funding opportunities. Investigate the possibility of obtaining grants from nonprofit organizations, private family foundations, and state agencies. Your state trails organization, for instance, probably dispenses federal funds through the Recreational Trails Program or other programs. Awards are often based on an 80/20 federal/local split.

Government Grants. Several government programs provide funding and/or technical assistance for water trail development, maintenance, and related projects. The process, however, usually takes more research,

partnership building, and paperwork than it does to apply for a foundation grant or corporate donation.

Many government grants include a "cooperative agreement" or contract that may require you to complete the project at a specific point in time. Some government grants will not be paid until "the deliverables" are received. Can you wait to be reimbursed? Government grants can be great sources of funding if you have a specific project and you can make a compelling case that you can deliver on your promises.

Federal Government Grants. Generally, at the federal level, opportunities for grants are few. The Chesapeake Bay Gateways Network (www.baygateways.net), provides a variety of support for water trails, including funding for development of water trail maps and guides, orientation and interpretive signage, development of new and improved access to water trails, and preparation of management and stewardship plans.

Water trails are eligible for funding under the TEA-21 Recreational Trails Program, but they have not received meaningful support from this program or other federal funding sources. Other federal agencies that may provide grants include National Fish & Wildlife Service/The National Fish and Wildlife Foundation (www.nfwf.org), National Oceanic & Atmospheric Administration (www.noaa.gov), Bureau of Land Management (www.blm.gov), USDA Forest Service (www.fs.fed.us), and the U.S. Army Corps of Engineers (www.usace.army.mil). The National Parks Service Rivers, Trails & Conservation Assistance program (www.nps.gov/rtca) provides in-kind support and technical assistance.

State Government Grants. At the state level, focus your energies on Fish and Boat Commissions, RC&D Councils, and inter-jurisdictional agencies.

The following agencies also are involved in the development of water trails: the Maryland Department of Natural Resources, Pennsylvania Fish and Boat Commission and PA Department of Conservation and Natural Resources, New York Department of Environmental Conservation, and the Virginia Department of Conservation and Recreation.

- PA Fish and Boat Commission (http://www.fish.state.pa.us) then click on Boating and then PA Water Trails
- PA DCNR (http://www.dcnr.state.pa.us/greenways_trails.aspx)

Local Government Grants. Many local and regional governments are also excellent sources of funding, and they often require less paperwork than federal and state agencies. For information about these grants, contact city and county executive offices and parks and recreation agencies.

Your U.S. congressman, state representative, and local elected officials can be of great help in obtaining government grants. They can set up meetings with the appropriate officials and help explain why your project will benefit the community. Keep them up to date on the progress of your project and be sure to invite them to speak at ribbon-cutting ceremonies.

Corporate Sponsorships

Locally owned businesses, large corporations with a presence near your water trail, and companies with products and services related to water trails are all prospects to become sponsors for the trail or a specific trail project. Besides providing funds, corporate sponsorships can broaden your organization's visibility within the community, provide access to resources, and help you stay in touch with community leaders. Contact your local chamber of commerce and the state department of commerce for directories of local and regional commercial enterprises.

Benefits to Business. Many nonprofit organizations have a business membership or sponsorship program that works like a major donor program. Businesses contribute at certain levels and receive benefits such as personal communications and visits; recognition on your web page or brochure; and special invitations to

water trail events.

Other businesses may wish to make in-kind donations of equipment, labor, and materials. Some businesses may give the organization a percentage of sales. Keep an open mind and develop a mutually satisfying relationship.

Developing Corporate Support. Here are a few tips on how to develop a corporate sponsorship program:

- Prepare a strong, one-page statement about your organization's mission and objectives.
- Produce a brochure or picture book that eloquently illustrates your organization's vision for the water trail.
- Establish an industry leadership committee, if possible, to help raise funds.
- Make a list of prospective sponsors—and meet with them individually.

Foundation Grants
Foundations can be key elements in a successful fundraising campaign for a water trail. These nongovernmental, nonprofit organizations primarily make grants to other nonprofit groups for educational, environmental, and a host of other civic purposes.

Some are small, and some have billion dollar endowments. Most foundations have specific issues—such as health, the environment, wildlife, education—and other qualifications governing their grants. Some foundation grants are restricted to certain geographical areas, so a foundation in your immediate area might be a good prospect. With any foundation, make sure your project fits with its mission.

For additional information about funding opportunities from foundations, visit River Network Partner Grants (http://www.rivernetwork.org/howwecanhelp/howwag.cfm), Environmental Support Center (http://www.envsc.org/), National Fish and Wildlife Foundation (http://www.nfwf.org/), Tom's of Maine small grants program (http://www.tomsofmaine.com/), The Foundation Center (www.fdncenter.org), and the Support Center (www.supportcenter.org/sf/). The Foundation Center operates libraries in Atlanta, Cleveland, New York, San Francisco, and Washington, D.C., and its *Finding Funders* directory offers links to private foundations, corporate-giving programs and other sources of nonprofit funding. The Support Center has an expansive, searchable database dedicated to funding resources.

Other Nonprofit Sources
Some nonprofit organizations administer grants from federal, state, corporate, or private sources. For example, the River Network (www.rivernetwork.org) administers the Watershed Assistance Grants (WAG) program funded by the Environmental Protection Agency, and The Conservation Fund (www.conservationfund.org) administers the Kodak American Greenways Awards, established by Kodak in partnership with The Conservation Fund and the National Geographic Society.

Membership Campaigns
Membership programs bring recognition and strength to your water trails organization—and a diversified funding base. Membership programs can help you identify potential large donors, volunteers, future board members, and in-kind contributors. They provide you with a group of people who may have good ideas for your water trail and organization.

There are many ways to increase membership: special events, newsletters, magazine advertisements, face-to-face requests, word of mouth, email, web page, speaking engagements, telephone calls, and booths at festivals, boat shows, and access points. Members can provide you with a base of volunteers, valuable contacts and networking opportunities, an informed base from which to draw board members, and a source of fresh ideas. Membership campaigns can provide a solid source of funds if managed well, and a solid source of headaches if not.

A successful membership system requires: a computer, versatile database, skilled operator, and communications tools such as a newsletter, website, or brochure, plus a marketing plan and lots of time. These requirements require skill and devotion and cost money to develop and maintain. Be cautious before choosing this option. The costs of maintaining your membership database may equal the income received from their membership fees. Consider establishing a major donor category for membership, such as those who will give $100 or more.

Donors generally give large gifts to an organization because they are able to do so, they have been asked to do so, and they feel a personal connection with the organization. Develop a personal relationship with major donors is a key to success!

Direct Mail
Most young water trail organizations find that small membership appeals created in-house and sent to people who have participated in trail events can be more effective and less costly than a large direct mail campaign. Make an effort at every trail meeting and event to collect names and addresses, so you can make such a mailing. Otherwise, ask another like-minded organization in your area if you can use or rent its list. Make the letter as personal as possible, and include a stamped response card or envelope.

Using direct mail is the most effective and common way to dramatically increase membership for older, larger nonprofit organizations. Direct mail programs can be costly up front and require a long-term commitment to be profitable, so make sure this is how you want to use your funds, staff, and board before investing in such a campaign.

A direct mail campaign is probably not the way to fix a current financial problem, because results take time, often years. For every 1,000 pieces you mail, you may get only 10 to 30 members. Will you receive enough money to cover your printing and mailing expenses and fees to rent lists from other organizations or list brokers?

Fundraising Events
Events can be an enjoyable way to raise funds and visibility for your water trail whether you are just starting or are well established. You also have a great venue: your water trail! A paddle trip is a popular way to celebrate water trails, gain media attention, engage the community, and yes, even raise funds. Some organizations hold annual auctions to raise funds. A sojourn, typically a multi-day paddling event, is an increasingly popular way to publicize water trails and the fun of spending time on a river.

For additional information about waterway sojourns and excursions, visit North American Water Trails (www.watertrails.org), and Alliance for the Chesapeake Bay (http://www.alliancechesbay.org /sojourns.cfm). The Pennsylvania Organization for Watersheds and Rivers has a Sojourn Organizers guide on their website (http://www.pawatersheds.org).

A.3 Drafting a Water Trail Plan

Planning and developing a water trail requires maintaining a careful balance between protecting the resource and responding to the needs of landowners, trail users, and the community. You have established a steering committee or formal organization, talked with the stakeholders, established partnerships, recruited volunteers, and started raising funds. Now it is time to study the evidence and make some thoughtful choices about the character of the trail.

Conduct Suitability and Feasibility Studies
Inventory and document the natural, historical, recreational, and scenic resources in the area of the proposed water trail. Gather and study reports about water quality, sensitive environmental factors, population patterns, socioeconomic characteristics, and public services and facilities. Along with all the pertinent statistical data and research findings, include maps and photographs of major resources.

Analyze Needs of Stakeholders
Study the needs and objectives expressed by landowners, local officials, potential trail users, and other stakeholders. Involve the stakeholders in resolving their differences and other issues.

Determine the Route
Using maps and the information you have gathered, decide where the trail will begin and end along the riverway, lakeshore, or bay coastline. Be logical and realistic.

Locate Facilities
Determine the locations of existing and potential new access points, parking areas, and stopping-off areas along the route. Decide where any new campsites and other facilities should be located. Determine the locations of directional signs, identification signs, orientation exhibits, and interpretive exhibits.

Develop a Work Plan
Develop a detailed development plan. Specify what needs to be done, how it will be done, who will do it, and when all these tasks will be accomplished.

Assessing Resources and Social Factors
Use volunteers to gather and review information from your public meetings and forums and from studies and reports conducted by government agencies and universities.

Members of your own organization may have to conduct additional field studies. Be sure to include maps and photographs of major resources along with all of the pertinent statistical data.

Your inventories and assessments should include:

Resource Suitability Studies

- Flora and fauna – important birding areas, high quality fishing areas
- Cultural and historical attributes
- Scenic qualities
- Water quality
- Existing access, parking, and marine facilities
- Potential camping areas
- Waterfalls, rapids, tidal flats, and other hazards
- Existing dams and portage routes
- Water gauging stations – safe water flows for boating
- Islands with potential for primitive campsites
- Isolated and private lands with little or no access

Social and Political Feasibility Analyses

- Support within the community
- Proponents and opponents
- Existing and potential stakeholders and partners
- Manpower availability for trail implementation and maintenance
- Known and potential financial support

Assessing Recreational Carrying Capacity
Carrying capacity defines the maximum number of people who can use the water trail without negatively impacting the desired social or ecological conditions. Carrying capacity should be evaluated from four perspectives:

- ***Physical Carrying Capacity:*** the amount of recreational use that can physically occur in a defined space. Is enough water and shoreline space available to accommodate all planned uses?

- ***Facility Carrying Capacity:*** the amount of recreational use is constrained by the availability of facility support. Can water trail users' needs for facilities such as parking, boat launching, restrooms, camping, etc. be accommodated?

- ***Ecological Carrying Capacity:*** the amount of use that can occur without creating unacceptable impacts on the ecosystem. Will increased use inappropriately affect plants, animals, soil, water quality, etc.?

- ***Social Carrying Capacity:*** the maximum amount of use that can occur without impairing the desired social experience. Will increased use result in a "crowded" feeling that does not meet the water trail user's expectations?

Somewhere between minimum and maximum use, optimal carrying capacity may trade higher capacity for other benefits.

Locating Facilities
The mere existence of a river, bay, ocean coast, or lake does not constitute a water trail. A water trail is a defined route that passes through a scenic area that includes various points of interest instead of a single element. The route must be appealing to attract trail users.

The waterway is obvious, but where to locate the trail's beginning, end, stopping-off points, and facilities depends on several factors: nearby roads, existing and potential access points and parking areas, current and potential camping areas, and other overnight accommodations. The types of boats that will be used will influence the design of your trail, particularly the kinds of access points and the distances between them—paddle craft requiring more frequent access points than power or sail boats.

Locating facilities requires compromises. Adding an access site and parking area will cause some damage to the natural environment. Not adding an access site can result in trail users creating numerous illegal sites in environmentally sensitive areas. Try to deal with this quandary by building attractive facilities away from sensitive areas. If developing in sensitive areas, consider "hardening" the site with a gravel surface to increase resistance to foot trampling. (The State of Virginia Division of Conservation and Recreation has developed guidelines for development of access and camping areas in riparian areas.)

Bring the user groups into the planning process. Paddler clubs, powerboat associations, outfitters, guides, marinas, and sports shops will help solve development questions and conflicting requirements.

Here are a few tips about locating trail facilities:

- **Access points, or launch sites,** should connect the trail with nearby roads or portage trails. Launch sites may be small and simple for car-top and hand-carried boats. They have to be relatively large, paved, or hardened, for boats transported on trailers. Access points should be close enough to insure safe, manageable traveling distances from one to another. They need to be frequently placed on trails restricted to non-motorized boats. Launching areas need to have adequate parking that is safe and patrolled by law enforcement authorities. Vehicles with trailers need two to three times as much parking space as those with car-top boat racks.

- **Day-use sites** are destination points along the trail where camping is not permitted. They may have landings, picnic areas, swimming areas, potable water supply or waste disposal facilities. A day-use area, however, may be as simple as a point of interest, with no facilities.
- **Overnight accommodations** include campsites, hostels, bed and breakfasts, inns, and motels. Take advantage of facilities that already exist. Then, turn to local paddlers, boaters, planners, and natural resource officials to determine suitable locations that could be developed to fill gaps. Campsites should have durable surfaces. Facilities to store boats and gear either should be available at the landing, campsite, or lodging facility. Provide information about town docks and marinas.
- **Orientation signs with a trail map** should be posted at all launch sites and camping areas. Ideally, include the map in a kiosk along with information about the trail, and messages about safety, boating regulations, "Leave No Trace practices" and resource protection. Other exhibits at these sites could interpret interesting natural and historical features.
- **A potable water system** that meets state health department regulations is costly to install. Most long-distance paddlers expect to carry a supply of water that will last several days. Inform boaters about the availability of drinking water in water trail map and guides, on orientation signage, and on the trail's website, so they can plan and manage accordingly.
- **Disposal of human waste** is a major issue at launch sites, campsites, and day-use areas. Composting toilets or outhouses can be provided, but they are expensive. Local regulations may dictate the method used. In many wilderness areas human waste must be packed out. Visit (www.mita.org) and search for pack-it-out information.

NOTE: Access sites and facilities should be carefully planned and managed to prevent damage to fragile resources—and to meet the requirements of the Americans with Disabilities Act (ADA). For more information about ADA requirements, contact your state parks or natural resource agency and visit (www.adata.org) or (www.adainfo.org).

Making a Work Plan

You have conducted resource studies and analyzed reports. You know who your stakeholders are. You have determined the route of the water trail and decided where access points and facilities should be located. Now it is time to develop a work plan that identifies what needs to be done to turn the concept of a trail into a reality.

Figure out and write down what needs to be done step by step. Select some minor, low-cost chores that trail leaders, stakeholders, partners, and volunteers can tackle first. That will help motivate the work crews and generate enthusiasm and create some milestones that can be celebrated along the way by the community. Then go on to the major tasks.

- The work plan should break down what needs to be accomplished, by whom, how, and when.
- "What" is the short description of the task or tasks.
- "Who" are the individuals or groups assigned to the task or tasks.
- "How" defines how the tasks will be accomplished.
- "When" refers to the timing of the action. The work plan can include projected dates or can be a simple list of tasks organized in sequence. The latter can be divided into "near-term" and "long-term" tasks, and specific dates can be added as work progresses.

Preparing a work plan can be tedious, but clearly documenting defined tasks will save time in the long run and let everyone in the organization know what has happened and what needs to be done next.

B. Building a Water Trail

You have created a nonprofit organization, identified the stakeholders and partners, and drafted a development plan for the trail. Now it is time to go to work—to create access sites, develop facilities, and prepare guide materials for trail users.

B.1 Establishing Access

Over the years local boaters commonly create informal sites to get onto and off the waterway. Some of them make ideal accesses for the trail while others might be dangerous, awkwardly placed, and unevenly spaced for general public use. You probably will have to develop some new launch sites and parking areas, and you may have to create some campsites.

Be Prepared
Thoroughly prepare everyone in your organization who is going to approach a private landowner or public agency about obtaining permission to use a site or purchasing property for the trail. They should be able to clearly articulate the vision of the water trail, usage projections, facility plans, maintenance services, liability issues, and why the inclusion of the site or sites is critical to the overall effectiveness of the trail.

Acquire Access Permission
Obtain legal advice when making access agreements with private individuals, public agencies, businesses, or organizations. Agreements typically include handshake agreements that are renewed annually, leases that last a few or several years, and permanent deeded easements.

Purchase Sites
Obtain legal assistance when making outright purchases of property, purchases of easements, or donations of land. Most water trail organizations prefer to obtain access permission and spend their limited funds on facilities and maintenance. Occasionally, however, they have to raise funds to buy property for critical launch sites or camping areas.

Follow Through
Establish a regular schedule to visit and talk with landowners and public lands managers. Look for creative ways to acknowledge their contributions at an annual event with stewardship volunteers. Pass on letters of thanks from visitors. Chat with them periodically on the telephone. Listen to their concerns and resolve problems as soon as possible.

Acquiring Access
During the planning process, your organization probably received numerous suggestions for potential access sites from individuals, organizations, government agencies, and businesses.

When you laid out the route on paper, you considered these suggestions and made initial selections based on the locations of roads, accessibility of the terrain, spacing along the water route, and other factors. Now you have to face the difficult—but often rewarding—chore of obtaining permission to use lands or to purchase property for launch sites, camping areas, and other facilities.

Initial access to the trail typically will be at existing parks, federal and state boating access sites, private marinas, current campgrounds, and riparian lands owned by nonprofit organizations. As the trail is expanded over the years, additional important access sites can be acquired and developed.

Private Property Owners
Private land owners will be particularly interested in what stewardship and management services you are offering to ensure protection of their property. They will want to know about anticipated usage and plans

for facilities and services before agreeing to sign a year-to-year agreement, lease, or permanent easement.

Make private sector partners part of the planning process and invite those with attractive sites on the waterway to have them officially designated as points on the route. Private marinas and campgrounds might view the designation as an opportunity to serve the public and expand their business. Some private owners may charge users for using the access site – be sure to communicate this information to users through the water trail map and guide and website.

Public Land Managers
Just because land is publicly owned does not necessarily mean it would automatically be accessible to water trail users. It is still critical to request from the public land manager. Some public lands are managed as reservoirs, wastewater treatment plants, and other purposes incompatible with public use.

Other public lands, such as natural and recreational areas, are usually excellent launch sites and stopping-off spots. Some of these areas may already have camping and other overnight accommodations and well-established launch pads for small boats, canoes, and kayaks. Public land managers will have many of the same questions as private property owners. Do your homework so you can speak authoritatively and approach the managers of these lands about becoming trail partners and having their lands designated as sites on the trail.

Preparation
Before approaching a landowner or land manager for permission to use their property as an access site, you should have the following in place:

- Trained volunteers or staff to assist in caring for the property
- Tools and equipment, including workboats if the property is accessible only by water
- Liability information
- Management plan, be it formal document or unwritten intentions
- A commitment to an ongoing relationship and regular communication with the owner or manager
- A single, reliable contact within the water trail organization

Making the Request
Asking for access to a property is much like fundraising: It requires preparation and a gracious, thoughtful approach by an enthusiastic, knowledgeable, and trust-inspiring representative of the organization.

Begin with a polite letter of introduction and intent and follow that a week or two later with a telephone call. Try to arrange a face-to-face meeting at a time and place convenient to the property owner or manager.

At the meeting articulate the following:

- Benefits of access that will appeal to them, such as fostering an appreciation of nature, building a constituency for the resource, or making the world a better place.
- Your organization's philosophy and policies about usage, such as Leave No Trace practices.
- Kinds of anticipated users of their property, such as paddlers, families, school groups interested in day use only, and campers.
- Amount of anticipated usage.
- Services you are willing to provide, such as periodic cleanups, habitat restoration, stewardship services, or fee collection.

If the owner or manager agrees to grant access to trail users, be sure to express your gratitude and follow that up with a letter acknowledging the agreement.

Overcoming Objections
The most common objections to water trail proposals are voiced by private landowners and usually involve the following:

- Vandalism or burglary to neighboring properties or buildings
- Newcomers squeezing out traditional users
- Water trail's popularity affecting the fabric of waterside communities
- Commercialism catering to boaters
- Conflicts between boaters and local users, such as fishermen and hunters
- Crowded launching ramps, parking lots, and other access sites

Accept the fact that you will be dealing with private landowners and community leaders and that you may revisit their concerns several times in the course of the project. Deal with the issues head-on. Seek out opponents and hear their concerns and objections. Engage them and others in the community in solving the problems.

Liability
One issue that almost all private landowners will have before they agree to open their property to the public is the question of liability. In many instances there are limits to their liability.

Nearly all states have a recreational use law designed to limit liability for landowners who open their property for free public recreational use. A summary of the recreational use statutes in all 50 states can be found at http://www.nps.gov/ncrc/programs/rtca/helpfultools/ht_publications.html and click on the publication - Recreational Use Statutes and the Private Landowner.

Some states confine this landowner protection to specific activities such as boating, while others provide blanket protection for all recreational activities. Some states even allow for restitution of the landowner's legal fees if a member of the public unsuccessfully sues.

Providing insurance is an option. For example, the Hudson River Watertrail Association in New York owns its own campsite. A one million dollar insurance policy for the property runs about $250 per year. The cost of adding another piece of property to the policy was estimated in 2001 to cost $50 per year.

Assessing the Property
After an owner or manager indicates an interest in granting access, make a thorough assessment of the property if you have not done so already. Your assessment may include:

- An inventory of sensitive wildlife habitat or fragile vegetation
- Identification of potential campsites and day-use areas that would minimize impacts on the property
- An evaluation of the access point's ease of use from the water and safety concerns
- An investigation of any hazards, such as uncapped wells and hunter's traps
- A survey of neighboring communities for indications of potential opposition
- A research study of the traditional uses of the property

Use the results of these studies to develop a policy on how the site will be managed.

Sealing the Deal
If the property is suitable, talk with the owner or manager in detail about his or her expectations of use and impacts and your organization's ability to manage usage. Encourage the adoption of strict low-impact standards—such as no fires, carrying out all human waste—for all sites along the trail, but let the owner or public land manager establish the rules and restrictions for the specific site.

Reach an understanding in writing. The document can be as simple as a gracious letter reiterating agreements and responsibilities. Some owners and managers prefer such an informal approach while others may request a legal document. Other owners, such as land trusts, may prefer a stewardship and management plan based on the inherent qualities and characteristics of the property. Include a time period in all agreements with an option to renew. It is probably wise to have your lawyer examine and approve your agreements before signing them.

NOTE: Visit the Maine Island Trail Association at (www.mita.org) for examples of a management plan, letter to a landowner, and annual report letter.]

Visit the Hudson River Watertrail at (www.hrwa.org) for information about its insured campsite.

B.2 Developing Trail Facilities

Facilities that are customarily built along a water trail fall into three general categories: access, day use, and camping. The size and appearance of these facilities may well be determined by the availability of funds, the setting, and the expertise of the construction crew. Here are tips to consider when building these facilities:

Access Facilities
Build facilities for visitors to enter and leave the waterway trail that are appropriate for the setting, be it wilderness, rural countryside, or urban. For instance, it would be just as inappropriate to provide elaborate facilities in a wilderness area as it would to provide rustic facilities at a heavily visited urban waterfront. Make sure the access facilities are appropriate for the types of boats typically used on the waterway. Consider what kind of boat ramp, if any, is needed and how large the parking area should be. Make the facilities large enough for the anticipated usage but do not overbuild.

Portage Trails
Build portage trails where visitors have to transport boats around obstructions or hazards in the waterway and from one body of water to another. In some instances, you may have to build a portage trail from the parking area to the waterway. Compared to hiking trails, portage trails generally must be wider and smoother and have more gentle curves and turns. They should be able to accommodate collapsible boat dollies, which are becoming popular. Try to have a slightly wider area at each end of the portages for loading and unloading.

Day-Use Areas
Provide toilet facilities that are appropriate for the wilderness, rural, or urban setting. Other day-use facilities range from simple designated picnic areas to hiking trails with sophisticated interpretive exhibits. Providing interpretive and orientation information can enhance their experience—and direct their activities away from areas that are environmentally sensitive, unsafe, or closed by landowners.

Camping Areas
Build your campsites so they are easily accessible from the waterway, have a safe place to store boats, are fairly level and well drained, and offer protection from strong winds. Provide wooden tent platforms in heavily used and fragile areas. Install an appropriate human waste disposal system. If fires are permitted, provide grills to reduce the possibility of fires getting out of control.

Construction Crews
Use care in deciding whether to use volunteers or professionals to construct trail facilities. Volunteers can readily handle the relatively simple tasks, such as clearing brush for campsites and building picnic tables. Some volunteers may be current or retired construction workers and managers who can handle complex construction projects. For large, difficult projects, you may have to use—and pay for—the services of an architect and several contractors, plus a general contractor or engineer to coordinate their efforts and to obtain all the necessary permits and inspections.

Constructing Facilities
Before pouring any cement, driving in nails, or applying paint, think about what you are trying to accomplish and make some basic decisions.

Questions to Consider:

- What type of experience are you providing? Wilderness? Urban? Something in between?
- How many visitors do you expect at one time or over the course of a year? Is the trail or facility close to or far from a large population center?
- Will you use volunteers or paid crews to construct the facilities? Will a paid staff member serve as the supervisor of volunteers or as the contact with contractors?
- Is the facility legal? Can you secure the necessary building, plumbing, and electrical permits from the appropriate agencies?

Key Points:

- Be consistent in your use of materials so visitors will readily identify the trail's facilities.
- Minimize environmental impacts and intrusions on neighborhoods and views.
- Use soft colors, make sign messages positive, and keep the facilities clean.
- Start the permit approval process well in advance of planned construction dates.

Access Facilities
Areas established to provide access to the waterway usually consist of a parking area for vehicles with or without trailers; a trail or ramp to the water for launching and recovering boats; signs; and toilet facilities. Because it takes time to load and unload boats, access sites should be large enough to accommodate several boating parties at one time. Boats transported on trailers, however, usually arrive at the parking area with most of the gear aboard, so a single launching ramp may be enough to handle the traffic.

The States Organization for Boating Access has developed an excellent manual, *Design Handbook for Recreational Boating and Fishing Facilities* (http://www.soba.gen.dc.us/). In addition, the publication "Logical Lasting Launches" is available from the National Park Service Rivers and Trails Program at http://www.nps.gov/ncrc/programs/rtca/helpfultools/ht_publications.html.

Parking areas should be built on well-drained soils in areas that do not flood. The number and type of parking spaces you provide should give the visitor important clues about what to expect on the trail. If a visitor arrives and takes the last parking spot in a 10-car lot, for instance, he or she will probably perceive that the traffic on the trail is at capacity. If that person arrives to find 10 cars in a 20-car lot, he or she may think the water trail is not crowded. If the trail has been designed to accommodate the carrying capacity, resist pressure to expand the parking.

Launch sites should slope naturally to the water at grades of 10 to 15% for boats on trailers and 5 to 15% for hand-carried watercraft. They should be protected from strong prevailing winds and currents; lack obstructions, and be deep enough to be reasonably navigable.

Portage trails may have to be built to avoid obstructions or to access one body of water from another. A portage trail itself can impart a sense of adventure to the whole water trail experience.

Day-Use Facilities
Depending on available resources, you may want to create areas along the trail where visitors can relax and perhaps learn something about the area. Keep in mind that every amenity—picnic table, fireplace, roofed canopy, toilet—will add to the maintenance tasks of our volunteers or paid personnel. Do not provide trash barrels unless you can empty them on a regular basis. Instead, encourage carry-in, carry-out procedures through a Leave No Trace program. Anticipate that flooding will affect your facilities from time to time and will require need for emergency repairs and maintenance.

Picnic areas provide boaters with opportunities to go ashore to stretch their legs, relax, and enjoy a meal. They are especially important on long water trails. Providing tables and toilets may diminish the wild character of a waterway in some areas, but they may be necessities along other water trails. Do not install tables below the normal high-water mark.

Wayside exhibits can heighten interest in the trail's natural and cultural features and enhance the overall trail experience. Make them as site-specific as possible at locations, such as campsites and picnic areas, where boaters can land safely. Construct the exhibits using durable materials such as with aluminum bases to be to withstand flooding.

Camping Areas
For many visitors, spending a night or several nights under the stars or in a tent is an essential part of the trail experience. Some areas along the waterway make natural campsites and have been used by travelers for hundreds or thousands of years. Make them a part of your trail, but ask your state preservation office or other agency to check them for historic and prehistoric artifacts.

Landing areas should be easily accessible at all water levels and in areas where boats can be stored safely away from prevailing winds, currents, and tides.

Campsites should be located in gently sloping, well-drained areas. If anticipated use levels are high or vegetation and soils are fragile, install wooden tent platforms or build pads with sand, soil, or gravel bounded by rocks or logs.

Campfires are not appropriate at all campsites. Lack of appropriate fuel, landowner restrictions, and high risk of uncontrolled fires may warrant a stoves-only policy. If fires are allowed, build small fire rings. Remind visitors of the Leave No Trace practice of using firewood small enough to be broken by hand. Make your decision about campfires and educate water trail users.

Disposal of human waste is as challenging an issue as fire. Methods range from carry-out practices, favored by managers on western rivers and Maine's coast, to elaborate vault or composting units and portable waterless privies. Build traditional pit privies—either open or enclosed in a small wood building—where they are legally permitted. Composting toilets can be an esthetically better option but are often expensive to install and manage.

Leave No Trace (http://www.lnt.org/) and The River Management Society (http://www.river-management.org/) provide useful materials about human waste disposal methods.

Construction Tips
Before starting the actual work, decide whether you want to use volunteers or pay for professional help.

Use volunteers to build basic facilities. Using volunteers is a great way to build an esprit de corps in a fledgling organization, but keep in mind that some volunteers may be highly skilled and others may know

little or nothing about constructing facilities. Match the tasks with their skill levels and put a skilled volunteer or paid staffer in charge. Be sure to have detailed building plans, a work schedule, and required permits before starting the project.

Use contractors to build highly engineered structures and projects involving serious environmental issues requiring studies and permits. If the construction project is especially large and complex, hire a general contractor or engineer to manage it on a day-to-day basis.

Before signing a contract, meet with several firms, inform them of your mission and vision, visit the site or sites, and review your building plans. Some contractors may become advocates of your project and lower their fees.

Get at least three bids. Check the contractors' references and examine other work they have done on similar projects. While the lowest price is important, the confidence you have in the quality of the contractor's work and availability to meet your schedule may well be more important than the fee.

For more information, visit the Appalachian Mountain Club (www.amcinfo.org); The Volunteers for Outdoor Colorado (https:secure.confluent.net/vac/Order_manuals.cfm); Western Trailbuilders Association (http://www.trailbuilders.org/).

Dams, particularly hydroelectric dams, present special challenges to water trail managers. They modify, often dramatically, the natural character and environment of a river or lake and present significant barriers to navigation that require the building of portage trails. Sudden releases of large water flows from dams can endanger downstream waders and boaters. It is critical to communicate information about dams and required portages to your water trail user in a map and guide, orientation signs, and website.

Owners of hydroelectric dams may help you build portage trails around the dams. The Federal Energy Regulatory Commission (FERC) requires them to compensate the public for the commercial use of the waterway by providing public access and, in many cases, recreational facilities. If your project is above or below a hydroelectric dam, examine the terms of the FERC license regarding recreation facilities. Find out when reviews are conducted and when the license is up for renewal—the best times to seek help in obtaining facilities to enhance your water trail.

For more information, visit:

- National Hydropower Reform Coalition (http.//www.hydroreform.org)
- American Whitewater (http://www.americanwhitewater.org/)
- Hydropower Recreation Assistance Program of the National Park Service's Rivers, Trails, and Conservation Assistance Program (http://ncrc.nps.gov/hydrro)
- FERC (http://rimsweb1.ferc.gov/rims.q?rp2~intro)

B.3 Producing Guide Materials

All but the most adventurous of boaters want a map of the water trail and information about sites—and hazards—they will encounter along the way. They want to know the locations of launching and parking areas, campsites, picnic areas, toilets, and other facilities. You can convey this information, safety tips, and management policies through map folders, guidebooks, signs, and orientation exhibits and websites. Properly written and designed, they can greatly enhance the water trail experience.

Map Folders or Brochure

Produce a simple foldout map and guide to help first-time users of the trail find their way. Such a folder may be the only publication that is needed to guide users on short day-use trails and overnight trails of 50

miles or less. Revise and update these handy tools when you print a new supply. Depending on your financial resources, distribute them as free publications or sales items.

Map and Guides
Create a water trail map and guide about the trail after testing the waters with the simple foldout map. You may find that a larger publication is both needed and desired by users to convey practical visit information in greater depth and to provide boaters with detailed inset maps of certain areas (such as directions to access points, water hazard areas, and dam portages). To widen the appeal of the map and guide, it could contain interpretive essays and features about the area's natural, historical, and recreational features.

Depending on the number of pages, use of color, and other factors, map and guides can be costly to develop and print. Selling map and guides can be an important source of revenue for your water trail. This revenue can be used to fund a reprint of the map and guide and development of water trail facilities.

Websites
Develop a website so potential users can download and print out the water trail map and basic information to plan their trip. . Increasingly, websites are the first places people search to get travel and recreation information. Keep the website up to date and, as time permits, add links to local outfitters, area accommodations, points of interest, and related sites.

Signs
Produce orientation, interpretive and wayfinding signs to increase the public's awareness of the trail, to direct visitors, to identify sites, and to indicate hazards. Hire a professional design firm to create a signage plan for the whole trail, so the signs will have a consistent appearance from one end to the other. The sign plan will also provide formats and instructions for adding and replacing signs in the future.

Wayside Exhibits
Install wayside exhibits at launch sites to provide orientation information, a map of the trail, safety tips, and regulations. As funds permit, produce wayside exhibits that interpret natural and human history stories related to stopping-off sites along the trail. Hire professionals to design and fabricate the exhibits and bases, so they convey a consistent, standard approach that will enhance the trail's identity.

Developing Wayfinding Guides
Unlike a clear path through the woods, a water trail is a nebulous entity. But, oddly enough, identifying the watery route in a map folder and guidebook, on signs and exhibits, and on the World Wide Web bring a sense of reality to the trail. These wayfinding guides are tangible evidence of the trail, and, to those who have been working on the creation of the trail since the beginning, badges of honor.

Selecting the Format
A foldout map and guide may be perfect for short day-use trails and overnight trails of 50 miles or less. For longer trails, the creation of a map folder and a guidebook containing detailed maps of the various trail sections may be appropriate.

If possible, distribute the map folders free of charge. Because of development and production costs, guidebooks usually are sales items. Either way, the trail organization has to establish distribution systems for the publications through vendors such as local marinas, bookstores, nonprofit organizations, outfitters and other water trail related businesses, a website, and the mail.

DO NOT provide too much information. While the safety of trail users is paramount, revealing every nuance of the waterway and shoreline detracts from the sense of discovery and adventure.

Use professional writers, mapmakers, and graphic designers to create quality publications that reflect the trail's character and the organization's vision and objectives.

Essential Information
Map folders and guidebooks should include an introductory overview of the trail and information about the trail's extent, points of interest along the way, access points, boating and other regulations, Leave No Trace principles, safety concerns, and, most important, a map or a series of maps. Besides covering these subjects and maps in greater detail than folders, guidebooks can also include interpretive essays about the area's plants and animals, human history and prehistory, and recreational activities.

Safety checklists should include information about essential gear; emergency phone numbers; safe water levels, tidal conditions, and weather or where to obtain this information on the telephone or the web. Highlight any water-based or land-based hazards, such as dams, rapids, jellyfish, poison ivy, poisonous snakes, and bears. If applicable, note the water and skill levels that may be necessary for certain segments of the water trail and emphasize the importance of recognizing one's capabilities and experience.

State and local regulations should be provided for such activities as fishing, boating, swimming, campfires, and hunting.

Stewardship guidelines are especially important. Be positive—using more do's than don'ts—in these messages to inspire a stewardship ethic instead of alienating visitors. Use the Leave No Trace principles to frame the advice. Provide detailed instructions on the recommended or required methods for human waste disposal. For more information about Leave No Trace principles, visit (www.LNT.org).

Locations of facilities and amenities such as access points, campsites, picnic areas, potable water, and toilets should be listed and shown on the map or maps. Include information about permits, fees, and overnight parking restrictions. Describe features of nearby parks, historic sites, museums, and other public facilities.

On a website, provide a Resource list -with locations and telephone numbers of canoe and kayak outfitters and liveries, bait-and-tackle shops, restaurants, bed and breakfasts, campgrounds, motels, grocery stores, and other businesses. This information tends to change from year to year, so it should not be included in the texts of map folders and guidebooks.

Other Considerations
Should a guidebook include advertising? Should you use waterproof paper? Should you consider developing a website and a CD guidebook?

Advertisements can clutter a publication and commercialize the trail experience, but sales of advertising space can help pay the printing bill. Some of the larger water trail organizations include with their guidebooks a separate pamphlet devoted to advertising and information about trail supporters.

Waterproof paper increases the durability of maps and guides, but it adds to the printing costs. Weigh the increased costs against potential sales.

A CD ROM guide can be produced at a lower cost than printing a guidebook and can be distributed to users via the mail and at local marinas, outfitters, and stores.

A website is an excellent way to convey information about the trail as long as staff members, volunteers, or contractors are available to set up pages and keep them up to date. The benefits of a website over printed materials include the relative ease of modifying information, sending out appeals for volunteers, announcing special events, and providing a forum for trail users. If you have produced a sales guidebook, consider the financial tradeoffs of providing access to downloadable information through a website.

Mapping
Use a professional cartographer to produce your trail map or maps. Because most water trails are linear

and many of them are long, determining the size and scale of water trail maps can be complex. Folders can contain an overall trail map and insets of a few segments. Guidebooks typically contain a small overall trail map and detailed maps of segments on individual pages or two-page spreads. Foldout maps can greatly add to the expense of guidebooks.

In preparation for the cartographer, carefully plot important trail information such as access points, campsites, picnic areas, hazards, and points of interest on maps of your waterway produced using geographic information systems (GIS) or by the U.S. Geological Survey or other government agencies. Obtain additional resource maps from consulting firms, colleges, and local agencies.

A simple, inexpensive black-and-white map could be used for the first year or two while the trail facilities are being built. Full-color maps, however, are much more effective at depicting the great variety and complexity of information associated with water trails.

Trail Signs and Exhibits
Signs, orientation exhibits, and interpretive wayside exhibits are critical communication tools. They guide visitors to the trail and sites along the trail, identify sites and facilities, provide warnings about hazards, convey management policies, and provide educational information.

Signs and exhibits can also detract from a wilderness experience. Usually, a few judiciously placed and properly scaled signs are more effective than many signs.

Planning and Design
Hire a planner and designer to create a signage plan for the whole trail. Determining the content, sizes, colors, styles, materials, and locations should not be left to chance or the whim of a member of the board or staff.

Create a hierarchical signage plan that honors the sequence in which visitors will view the signs and their needs at that moment. For instance, a visitor might first see a relatively large directional sign on a major highway, a smaller access identity sign, a parking sign, a trail orientation exhibit, and a boat launch sign. On the waterway, the visitor might see a small hazard sign, a bridge or campsite identity sign, a picnic area sign, and an interpretive wayside exhibit.

A comprehensive sign plan will bring order to the content, scale, appearance, and placement of these various kinds of messages. The content must be large enough to be legible from a car or a canoe or on foot.

Decide what is important to sign and what is not important to sign, so the landscape does not become littered with signs. Is a sign necessary if the information is covered in a map folder or guidebook?

Make your messages concise and clear not only on signs but on orientation exhibits and interpretive wayside exhibits. Remember the 3-30-3 rule: some people will spend only 3 seconds looking at an outdoor orientation or interpretation exhibit; some will spend 30 seconds; and some—the readers—will spend 3 minutes.

Use colors that blend in with the natural environment, and use them consistently to help establish the trail's identity. For instance, the Hudson River Water Trail uses a green and blue color scheme that is similar to the logo of the sponsor, the Hudson River Valley Greenway. Many outdoor groups use a variety of brown and yellow tones.

Obtain permits and permissions before creating and installing signs on public and private lands that your organization does not administer. State or local highway departments usually have to approve the installation of signs along roadways, and, after approval, carry out the actual installations.

Orientation exhibits can be standardized for all the access points along the trail. They typically are freestanding vertical panels that contain a brief introduction to the trail, key safety tips and regulations, a map with a You Are Here label, a list of facilities along the trail, and a few photographs and descriptions of scenic and historical sites. Include brief statements about overnight parking restrictions, Leave No Trace principles, and human waste disposal policies.

Possible safety issues include fast currents and hydraulics; the ranking of rapids according to the International Scale of River Difficulty; seasonal, tidal, and hydropower variations in water levels; mandatory portages, and other hazards.

If the trail is long, modify each orientation exhibit to highlight different points of interest and hazards in a specific area.

Some organizations install orientation exhibits under a small kiosk roof. Such structures provide shade and shelter from rain, but they add to the cost and can become homes for bees and birds.

Consider installing a bulletin board next to or on the back of the orientation exhibit if there is a need to post several temporary notices.

Interpretive wayside exhibits should be as site-specific as possible. They are an excellent means of telling stories about the human history in the area and variations in the plants and animals along the waterway. Keep the texts brief and to the point and include pertinent photographs and illustrations to heighten interest and to distinguish them from signs.

Campsite and day-use area identity signs can be helpful to trail users, but some trail organizations rely instead on identifying them in map folders and guidebooks.

Signs to mark the route generally are not necessary on water trails, but they can be used to assist with orientation and navigation (such as to direct boaters to the best channel or route around an island or a sign on a bridge) and to warn them about waterfalls, dams, shipping channels, or blockages. Do not place signs in sensitive habitat areas such as wetlands and areas with rare plants and soils unless signs are absolutely necessary to curtail trespassing. Signs could attract undue attention to those areas.

Materials

Use materials for the sign panels and bases that are durable and resistant to flooding and harsh weather conditions and vandalism. Your budget may determine what materials you use and their sustainability. Explore the possibilities of using recycled materials. If you are planning to change the information on a sign or exhibit in two years, consider fabricating signs using a digital print process. Materials and printing technologies are constantly changing, so check methods and prices with several fabricators.

Wooden signs and posts may be esthetically pleasing on water trails, but they may require more frequent replacement and maintenance than other types of signs. If you use wood in wet areas, be sure the signs are made of marine plywood and cedar. Do not use pressure-treated wood preserved with chromated copper arsenate (CCA) to avoid having the chemicals leach into the environment. Wooden signs can be painted and silk-screened. They also can be routed or sandblasted. They may require new coats of polyurethane or comparable sealant on an annual or bi-annual basis.

Aluminum and steel sign panels coated with baked enamel are commonly used for permanent identification signs along highways, at trail access points, and to identify facilities. Both types are durable, but steel is subject to rusting in marine environments.

Orientation and interpretive wayside panels are commonly screen-printed or digitally printed on paper and embedded in fiberglass to provide a high level of detail in the photographs, illustrations, and maps. For

even greater clarity and sharpness, use the more expensive porcelain enamel fabrication process.

For bulletin boards, use a computer to print temporary notices on standard copy paper (8”x 11”, 8” x 14”, or 11” x 17”) and laminate the paper. Use bulletin boards to post information about lodging accommodations, outfitters, shuttles, and stores.

Rock cairns may be more appropriate than signs to mark landing sites at beaches and deserts.

Sign Maintenance
Determine before installing the signs and exhibits who is responsible for maintenance and replacements: the property owner, trail organization, local or state agency. Use the master list in your sign plan and inspect all signs and exhibits on a regular schedule. Remove graffiti and make repairs as soon as possible. Paint can be cleaned off metal and fiberglass relatively easily, but wooden signs may have to be repainted or replaced. For more information about developing map folders, guidebooks, and wayside exhibits, visit the National Park Service at (www.nps.gov/hfc/products.htm)

C. Managing a Water Trail

After the water trail has been established, the organization will be faced with a constant challenge: balancing the needs and values of recreation and conservation. Managing and maintaining a water trail may require the skills of some individuals who helped establish the trail. But the trail organization now has to make an ongoing effort to attract staff members and volunteers who can devote their energies to day-to-day and seasonal tasks.

C.1 Protecting the Resource

The water trail’s success now hinges on keeping the waterway as pristine as possible or improving its condition through a variety of conservation programs ranging from cleanup campaigns to habitat restoration projects.

Strengthen the Organization
Recruit staff members and volunteers who can run the organization’s office, conduct conservation programs, supervise habitat restoration projects, present interpretive programs, assign volunteers, purchase equipment, enlist new partners, and conduct fundraising campaigns.

Maintain Facilities
Clean and repair parking areas, launch ramps, campsites, fire rings, toilets, portage trails, signs, exhibits, and other facilities. Establish a regular maintenance schedule and keep records of repairs and replacements.

Conduct Cleanup Campaigns
Organize public campaigns to clean up trash along the waterway at least twice a year, before and after the busy season.

Monitor Water Quality
Enlist volunteers to establish and conduct an ongoing water-quality monitoring program. Alert officials about illegal dumping, floodplain encroachments, and damage to natural, archeological, and historical resources.

Track Usage
Document the use of access points, campsites, picnic areas, and other facilities, including private shuttles, to help formulate conservation programs and restoration projects.

Restore Habitats
Use volunteers to remove invasive nonnative plants and restore native vegetation along the waterway. Conduct or participate in fisheries surveys and other wildlife studies.

B.2 Educating the Public

Building and expanding community support for the water trail is a never-ending process and should be considered an essential element of the management plan. Provide a variety of interpretive educational programs to inform both children and adults about the waterway and the Chesapeake Bay. An informed citizenry will value and champion the trail and become active in stewardship activities.

Conduct Interpretive Programs
Use staff members, volunteers, and outfitters to interpret the area's natural and cultural heritage on trips along the water trail and on adjacent lands.

Hold Special Events
Sponsor water festivals, paddling trips, sojourns, canoe races, and other water-related events to broaden community support for the trail.

Promote Conservation Practices
Include conservation messages in your publications and signs and inform the public about the trail's connection with programs to restore the ecology of the Chesapeake Bay.

Conservation and Education

At all times, the water trail organization must be vigilant about protecting—and, better yet, enhancing—the natural qualities of the waterway itself. By initiating a series of conservation projects and education programs, the organization not only protects the waterway but gains a cadre of water trail supporters.

Tracking Visitor Use
Trail managers should track visitor use to evaluate environmental or social impacts. Keep track of visitor use through:

- Logbooks at access points, day-use areas, and campsites
- Permit systems
- Car counts at access points
- Interviews with managers of boat liveries, outfitters, campgrounds, and bait-and-tackle shops
- Surveys of trail users

Look for changes in vegetative cover and soil compaction at campsites and other land-based sites. Use photo stations and measurements to evaluate impacts.
Measure social impacts by asking users about encounters with other visitors on the water and at campsites and about their perceptions of the trail experience. Use the USDA Forest Service's Limits of Acceptable Change guidelines to evaluate and manage the land's carrying capacity.

Conservation and Restoration Projects
Help local and state conservation agencies monitor water quality and restore habitats. Conduct fisheries surveys, check for invasive plants and animals, protect endangered species, and look for beneficial plants like submerged aquatic vegetation (SAV). Conduct semiannual drives to remove litter and trash along the waterway. Help pinpoint water pollution problems by surveying aquatic insect populations and conducting bacteria, nitrogen, oxygen, salinity, and turbidity tests.

Leave No Trace
The Leave No Trace Code of Outdoors Ethics program is a good way to teach low-impact use of the trail to children and adults. Promote these seven LNT principles in brochures, trail guides, signs and exhibits (see http:www.lnt.org) for more information):

- Plan ahead and prepare
- Travel and camp on durable surfaces
- Dispose of waste properly
- Leave what you find
- Minimize campfire impacts
- Respect wildlife
- Be considerate of others

Paddling Trips or Sojourns
Conduct multi-day paddling trips that include camping overnight at various locations, festive meals, educational talks, and informal meetings with elected officials to celebrate the waterway and to build an educated constituency (see http://www.pawatersheds.org for their Sojourn Organizers Guide).

Some groups, such as the Harrisburg, Pennsylvania chapter of the Sierra Club, take inner city youngsters on paddling trips along a river trail after completing a three-day Red Cross canoeing course.

Other groups sponsor canoe races, learn-to-paddle days, and boating safety courses. At Pennsylvania's Lehigh River, the Wildlands Conservancy promotes a bikes-and-boat event. Visitors paddle down a water trail and then hop on a rental bike to return upstream via a riverside trail.

Natural and Cultural Heritage Programs
Conduct interpretive programs focusing on the local archeological, historical, and natural history features to enhance the community's awareness of why people settled along waterways and the importance they play in their day-to-day lives. Use professional outfitters, as well as your own staff members and volunteers, to serve as interpretive guides. Ask local birders to conduct bird watching excursions on the waterway and on adjacent lands—a good way to attract families and cultivate stewardship attitudes.

Besides conducting guided programs, consider developing a series of interpretive wayside exhibits about early settlements, water-powered mills, American Indian villages, canals, bridges, river crossings, and maritime history.

Festivals and Celebrations
Sponsor and participate in river and water festivals and reenactments to attract people who may not otherwise visit a water trail or waterfront to interest them in your trail and provide information about conservation issues. Share the spotlight and the workload with outfitters, fishing and boating businesses and organizations, and parks and recreation agencies.

Recreation
Do not forget that water trails attract many individuals who are more interested in the physical recreational aspects of using a water trail than they are in learning about its natural and historic features. They may enjoy the pure pleasure of getting some exercise and getting away from their workaday worlds by paddling down a scenic waterway. Similarly, some people may use your water trail to spend a day fishing from their boat or canoe or from a favorite spot along the banks. They, too, may become some of the trail's strongest supporters.

Boat Shows
Participate in area boat shows to provide information about your water trail and its relationship to the ecology of the Chesapeake Bay. NOTE: These websites contain information on water quality monitoring:

- US Environmental Protection Agency (www.epa.gov)
- Alliance for the Chesapeake Bay (www.acb-online.org)
- Chesapeake Bay Foundation (www.cbf.org)

The Ocean Conservancy sponsors the International Coastal Cleanup in which local groups clean up riverways and marine shores. The results are forwarded to the Conservancy, which publishes the data: (www.oceanconservancy.org)

Each spring the Pennsylvania Department of Environmental Protection (www.dep.state.pa.us) sponsors the Watershed Snapshot in which youngsters and adults engage in aquatic monitoring activities.

For information about cleaning up waterways and shorelines:

- American Outdoors: (http://www.nationalrivercleanup.com/)
- Sierra Club: (http://www.sierraclub.org/ico/index.asp)
- Water Keeper Alliance: (http://www.waterkeeper.org/maineducation.aspx)

Every year the Chesapeake Bay Foundation and other partners coordinate an SAV Hunt that requires many volunteers: (www.cbf.org)

NOAA Community-Based Habitat Restoration Program: (www.nmfs.noaa.gov/habitat/restoration)

For information on dam removal, contact American Rivers: (www.americanrivers.org)

For more information on restoration in your watershed, contact your state natural resources agency and county conservation district. The Chesapeake Bay Foundation (www.cbf.org) and the Alliance for the Chesapeake Bay (www.AllianceChesBay.org) are two regional nonprofit organizations that also have broad experience in restoration.

The USDA Forest Service's pocket-sized *Trail Construction and Maintenance Notebook* is useful in the field: USDA-FS, Missoula Technology & Development Center, Building 1, Fort Missoula, Missoula, MT 59804-7294.

Download a copy of *Stream Corridor Restoration – Principles, Processes, and Practices*, produced by a federal interagency group: (http://www.usda.gov/stream_restoration/)

Contact these organizations for educational programming information:

- Mid-Hudson Children's Museum: (www.mhcm.org)
- Earth Force:(www.earthforce.org)
- Stroud Water Research Center: (www.stroudcenter.org)
- Clearwater Education Center: (www.clearwater.org)
- Sierra Club Inner City Outings: (www.sierraclub.org/ico/indexasp)
- Youth Outdoor Adventure Program/Penn. Environmental Council: (www.pecpa.org)
- Leave No Trace program: (www.LeaveNoTrace.org)

For information about waterway trips, visit the Alliance for the Chesapeake Bay: (www.AllianceChesBay.org) and the Pennsylvania Organization for Watersheds and Rivers (www.pawatersheds.org)

Additional sources of water trail information:

- American Canoe Association: (www.aca-paddler.org)
- American Outdoors: (www.american-outdoors.com)
- American Whitewater: (www.americanwhitewater.org)
- Chesapeake Light Craft: (www.clcboats.com)
- East Coast Canoe and Kayak Festival: (www.ccprc.com/specialeckayak.org)
- Professional Paddlesports Association: (www.propaddle.com)
- South Carolina Department of Parks, Recreation and Tourism: (www.discoversouthcarolina.com)
- The Trade Association of Paddlesports: (www.gopaddle.org)
- West Coast Sea Kayak Symposium: (www.wcsks.org)

Workboats and Tools
More than likely your organization will need a workboat to carry out some maintenance work and monitoring activities on the water trail. Several kinds of watercraft are available, but some make better workboats than others.

Large, stable canoes are suitable for paddle trails, but freight canoes with transoms for small gasoline engines or electric motors are better.

For trails on large lakes or the ocean, make sure the boat is large enough to go safely through choppy waters and powerful enough to cover long distances at reasonable speeds when the boat is loaded. Aluminum boats are a good choice, because they are relatively light and they can withstand repeated beachings. They also can be powered by relatively small gasoline engines or electric motors and can be easily towed and launched.

Make sure your workboat operators are well trained not only to operate the boat but also to care for the boat, gear, and trailer. The handbook, *North American Water Trails,* has additional information about workboats.

Hand and Power Tools
Maintenance crews need a variety of hand and power tools. You may be able to obtain some of them through federal, state, and local technical assistance programs and donations from partners and businesses.

Here is a basic list of tools:

- rakes
- shovels
- Pulaskis
- weed whips
- brace and bits
- axes
- rock bars
- scythes
- cutter mattock
- bow saws
- lopping shears
- peaveys
- chainsaws
- brush saws
- files
- sharpening stones
- screwdrivers
- wrenches
- pliers
- vice grips
- socket sets

Maintenance crews also will need cleaning supplies for toilets, paint and brushes, lubricants, garbage bags, hardware, and lumber.

Safety Equipment
Equip maintenance crews with safety pants, gloves, and boots; hard hats with ear and face protection for work with chainsaws; rubber gloves for handling human waste; and well-stocked first aid kits.

Make sure the work crews receive training in the use of all equipment and in wilderness first aid and CPR.

For more information, see the Student Conservation Association's *Lightly on the Land: The SCA Trail-Building and Maintenance Manual*, published by The Mountaineers, 1001 SW Klickitat Way, Seattle, WA 98134, and visit (www.redcross.org) and (http://wfa.net).

Trail Signage and Interpretive Panels

The NPS is developing a unified sign plan for marking and interpreting the Captain John Smith Chesapeake National Historic Trail, the Star-Spangled Banner Trail National Historic Trail, and the Chesapeake Bay Gateways and Watertrails Network (CBGN). The signage plan will:

- establish appropriate independent and shared graphic identities for the three initiatives
- will address the placement and use of the trail insignia on a variety of signs, such as highway information and directional signs, entrance signs at parking areas, trailhead information signs, public access site signs, regulatory signs, directional indications, interpretive panels, wayside exhibits, private property signs, destination signs, and trail partner signs
- will include unified graphic design and layout standards, templates, and specifications and fabrication requirements for signage
- outline the roles and responsibilities of NPS and partners related to developing and maintaining trail signage

Following are examples of signage developed to date for the trail.

Trail Insignia Marker. To help commemorate the trail's national significance, the official trail marker insignia will be placed along federal and other managed trail segments and sites in compliance with the signage plan. The insignia is the unifying emblem representing the Captain John Smith Chesapeake NHT and all of its partners. Use of the insignia will be restricted to the NPS and its partners for applications that help further the purposes of the trail. It will mark places that meet federal criteria for designation as a trail site. The insignia has been established under authority of sections 3(a) (4) and 7(c) of the National Trails Act, and as such, it is an official insignia of the United States government, and is protected from unauthorized uses, manufacture, and sale in the United States (18 USC 701).

Trail Insignia Marker

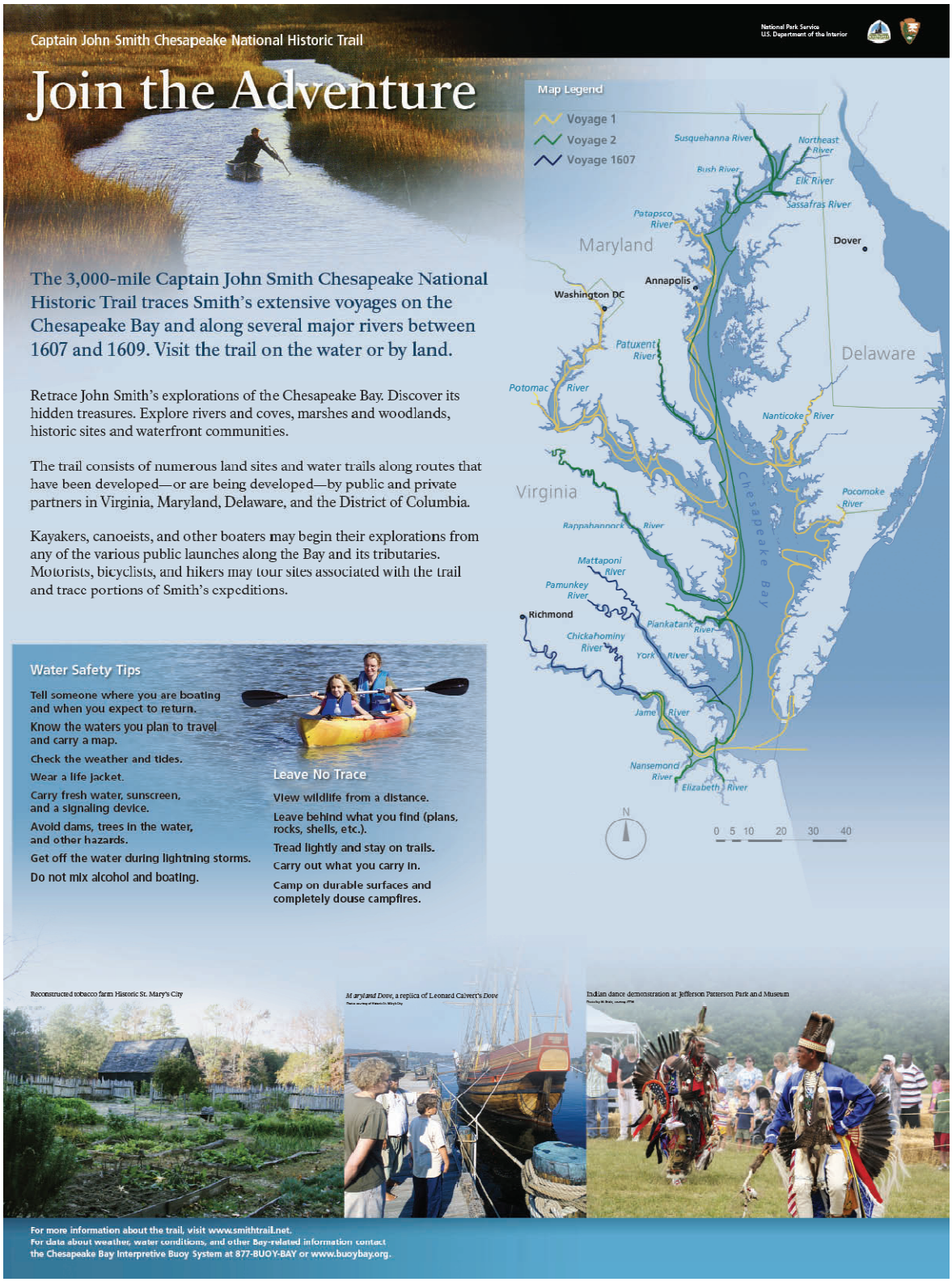
Site Identifier Sign. Site identifier signs (12”W x 12”H) will notify visitors that they are entering a facility associated with the trail. These signs will complement the existing Chesapeake Bay Gateways and Watertrails Network identifier signs now used at gateway sites. NPS will distribute site identifier signs to official trail partners.

Site Identifier Sign

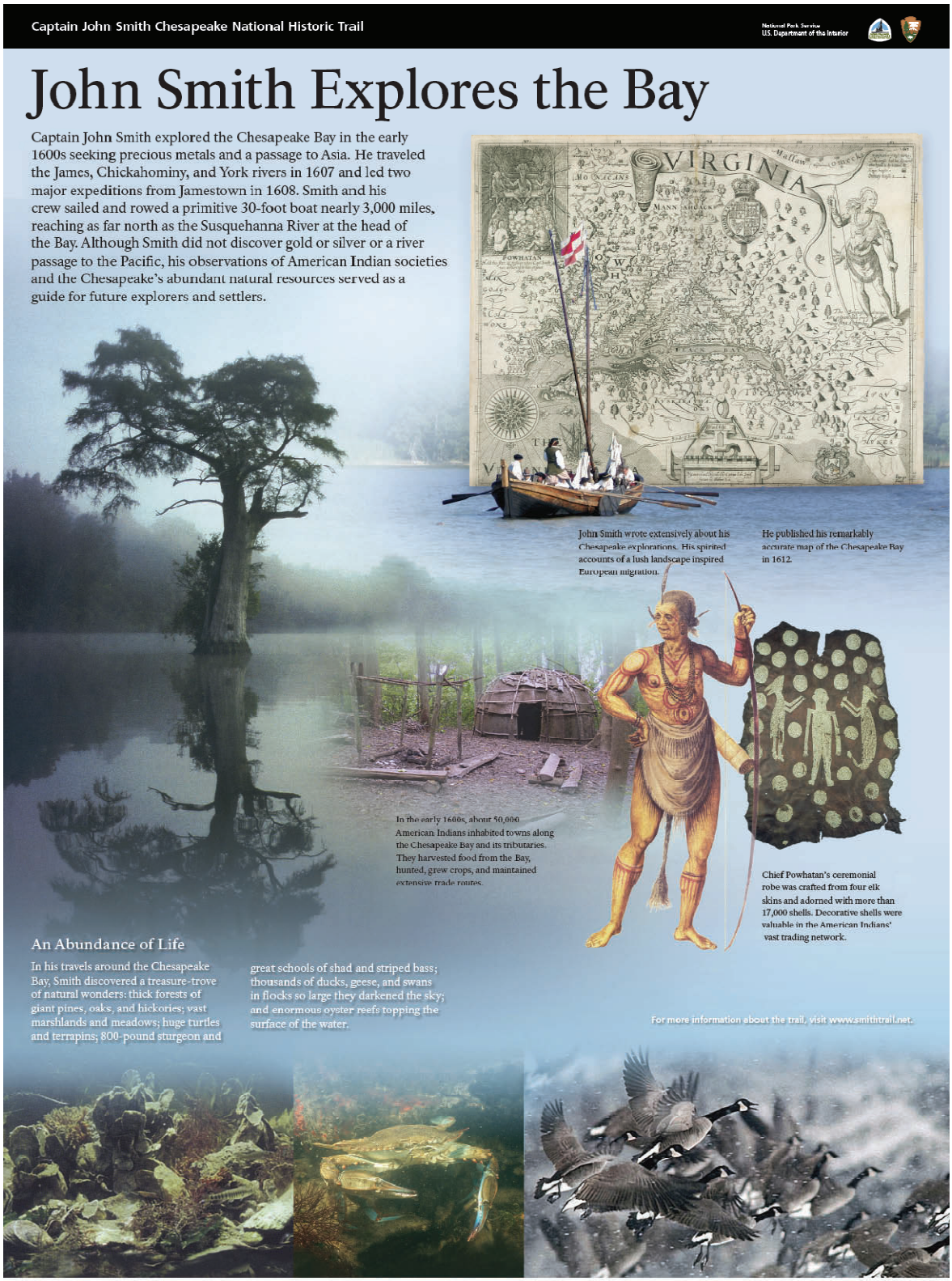
Standard Kiosk Panels. A standard kiosk would be installed at key entrance areas, in association with visitor centers or main offices, at primary trail access points, or at other heavily-trafficked site locations. The kiosk would have three vertical upright panels (each 36"W X 48"H) as follows:

- ***Orientation Panel*** ("Join the Adventure") – This panel would provide basic orientation information about the Trail including a map showing Smith's exploratory routes, brief water safety tips, a Leave No Trace message, and pertinent websites (see page G-4)
- ***Interpretive Panel*** ("John Smith Explores the Bay") – This panel would interpret the historical significance of Smith's exploration and the bay's American Indian heritage; describe the bay environment of the early 1600s; and include Smith's map of the bay, a photograph of the reconstructed shallop, and other historic and present-day images. (see page G-5)
- ***Site-Specific Panel*** – This (optional) panel would interpret site resources, provide visitor orientation, and link the site to the trail.

The NPS would provide the standard orientation and interpretive panels to official trail partners for use at key visitor areas at sites formally associated with the trail. Smaller versions of the two standard panels would be made available for locations where the larger panels would obscure the view. The (optional) site-specific panel would be produced by individual sites in accordance with established guidelines in the trail signage plan.



Draft Trail Kiosk Orientation Panel (still under review)



Draft Trail Kiosk Interpretive Panel (still under review)

NOAA Chesapeake Bay Interpretive Buoy System

Marking the water-based Captain John Smith Chesapeake National Historic Trail requires using different methods than are used to mark a land-based trail. To mark points along the trail, the National Oceanic and Atmospheric Administration (NOAA) (NOAA Chesapeake Bay Office) devised a buoy system that could transmit observational data for trail users, collect water-quality and other scientific measurements for monitoring the health of the bay, and communicate current and historical information for the public and educators. NOAA deployed the first buoy in the Chesapeake Bay Interpretive Buoy System (CBIBS) in the James River off Historic Jamestowne in May 2007 to coincide with the official launch of the Captain John Smith Chesapeake National Historic Trail.

As part of the National Oceanic and Atmospheric Administration's (NOAA) CBIBS, these buoys:

- deliver near-real-time information on weather and water conditions, such as wind, waves, and currents
- collect and transmit many other kinds of data for scientific and educational uses, including water-quality indicators
- provide trail users with navigational information plus descriptions of that place on the bay 400 years ago

Information from CBIBS buoys is accessible to anyone at any time via the internet (www.buoybay.noaa.gov), on web-enabled mobile phones (www.buoybay.org/m), and by toll-free phone (877-BUOY BAY).

While the buoys look much like navigational buoys, the CBIBS "smart buoys" are loaded with sensors to collect a range of meteorological, physical, water quality, water level, chemical, biological, optical, and acoustic measurements. The information is relayed in near-real time from the buoys to the Internet using wireless technology.

The popularity of CBIBS has grown rapidly since the first buoys were deployed. The CBIBS "smart buoys" are used by many people in the Chesapeake Bay area.

Travelers on the Captain John Smith Chesapeake National Historic Trail. The buoys help modern trail explorers learn more about the environment of the bay while discovering what Captain Smith would have seen as he passed near a buoy location 400 years ago. In addition to marking locations and transmitting observations, the buoys interpret geography and history. Because the buoys are accessible to anyone with a phone or Internet connection, both water- and land-based travelers are using them. Visitors can take a "virtual trip" to any buoy location from a computer to learn about the bay in Smith's time and to help plan their own trail experiences. As the Captain John Smith Chesapeake National Historic Trail develops, land-based interpretive kiosks and exhibits will tie into CBIBS to

complement the geographic and historical information the buoys provide. An interpretive kiosk is already in place on the deck of the Nauticus Museum in Norfolk, Virginia, within sight of the Elizabeth River CBIBS buoy.

Boaters and fishermen. Recreational and commercial boaters rely on the buoys for real-time data on wind, weather, wave height, and currents. Data from the buoys help boaters make safe choices before venturing into the open waters of the bay.

Educators and students. CBIBS is a valuable tool for teachers and students in many subject areas, such as science, biology, mathematics, and history. CBIBS is especially important in teaching estuarine concepts for better understanding the Chesapeake Bay—North America's largest estuary. The historical adventures of Captain John Smith on the bay and its tributaries interest students in learning how the bay has changed since the time of Smith's explorations. This provides educators with exciting new ways to prepare the next generation of bay stewards. The NOAA Chesapeake Bay Office is working to develop educational content; "Chesapeake Explorations" will use real-time and archived CBIBS data to help teach about environmental science in classrooms. "Educational Investigations" that use CBIBS data are already available at www.buoybay.org.

Scientific research and bay restoration. CBIBS buoys collect data on meteorological (wind speed and direction, air temperature, barometric pressure, relative humidity); GPS (horizontal position); near-surface water quality (water temperature, conductivity, dissolved oxygen, Chlorophyll A, turbidity); wave height (significant and maximum), direction, and period. The real-time and stored data from these measures help scientists analyze changes in the bay over time. This information is critically important to bay restoration efforts coordinated through the Chesapeake Bay Program and to various partners in monitoring and raising awareness for bay health.

As of late 2010, nine CBIBS buoys are stationed up and down the Chesapeake Bay along the Captain John Smith Chesapeake National Historic Trail:

- Susquehanna River near Havre de Grace, MD
- Mouth of the Patapsco River near Baltimore, MD
- Mouth of the Severn River near Annapolis, MD
- Upper Potomac River just south of Washington, DC
- Mouth of the Potomac River
- Rappahannock River near Stingray Point, VA
- James River near Jamestown, VA
- Elizabeth River near Norfolk, VA

State of Delaware
Office of the Governor

Ruth Ann Minner
Governor

June 6, 2008

John Maounis
Superintendent
Captain John Smith Chesapeake National Historic Trail
410 Severn Avenue
Annapolis, MD 21403

Dear Mr. Maounis:

Delaware is honored to be the first state in the Chesapeake Bay watershed to officially sign as a cooperating partner to implement the Captain John Smith Chesapeake National Historic Trail. We are pleased to now have two sites in the Chesapeake Bay Gateways & Watertrails Network. As you know the Nanticoke River, a Chesapeake Bay tributary, was explored by Captain John Smith in 1608. As stewards river's natural and cultural resources, we appreciate your request to cooperate with the National Park Service in the development of the Captain John Smith Chesapeake National Historic Trail Comprehensive Management Plan/Environmental Assessment.

In response to your recent letter, I have identified an interdisciplinary team from natural and historic resources, tourism, transportation, and planning agencies that will consult with your agency in the development of the National Trail's Comprehensive Management Plan/Environmental Assessment. An enclosed list of agency representatives will help the National Park Service define appropriate mechanisms to obtain and synthesize information relative to the Nanticoke River and the western Sussex County.

This first National Water Trail and Chesapeake Bay Gateways & Watertrails Network Program help to promote a greater understanding and appreciation of the Chesapeake Bay and its tributaries. It is important to create greater commitments to the watershed's conservation and restoration, promote a deeper understanding of its rich history, heritage, and culture, and promote intermodal connections between the regions significant sites. I believe that the Captain John Smith Trail will help to achieve these objectives.

Tatnall Building, Dover, Delaware 19901 (302) 744-4101 (302) 739-2775 fax
Carvel State Office Building, Wilmington, Delaware 19801 (302) 577-3210 (302) 577-3118 fax

John Maounis
June 6, 2008
Page 2

We look forward to working with you to develop a solid plan for the Nanticoke River portion of the Captain John Smith Chesapeake National Historic Trail.

Sincerely,

Ruth Ann Minner
Governor

CC: John A. Hughes, Secretary, DNREC
Patrick Emory, Director, Division of Fish & Wildlife
Charles A. Salkin, Director, Division of Parks & Recreation
Harriet Smith Windsor, Secretary, Department of State
Timothy Slavin, Director, Division of Historic & Cultural Affairs
Jennifer W. Davis, Director, Office of Management & Budget
Constance Holland, Director, Office of State Planning & Coordination
Carolann Wicks, Secretary, DelDOT
Ralph Reeb, Director, Division of Planning
Judy Cherry, Director, Delaware Development Office
Timothy Morgan, Delaware Tourism Office

MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*
John R. Griffin, *Secretary*
Eric C. Schwaab, *Deputy Secretary*

April 17, 2008

Mr. John Maounis
Superintendent
National Park Service
U.S. Department of the Interior
410 Severn Avenue
Annapolis, MD 21403-2524

Dear Mr. Maounis:

Thank you for your letter inviting Maryland to be a cooperating agency in the development of the Captain John Smith Chesapeake National Historic Trail Comprehensive Management Plan/Environmental Assessment. Governor O'Malley reviewed your letter and requested that I respond to you on his behalf.

As you know, Maryland has been very supportive of the Trail from its inception. Our commitment has been evident in the considerable resources and staff time we provided to assist the National Park Service in developing and completing the feasibility study for the trail and our continuing efforts to conduct an inventory of existing access sites and develop a gap analysis of public access on the Maryland sections of the trail. All of these efforts will eventually support the Comprehensive Management Plan for the trail.

DNR has long been focused on increasing public access to waterways and developing a statewide network of water trails and we have made efforts to work cooperatively with our neighbor states and promote regional connections. In 2006, Maryland's Potomac River Water Trail, received designation as a National Recreation Trail by the NPS, and serves as an example of how efforts at the state and local level are laying the foundations for establishing the Captain John Smith Trail.

We welcome the opportunity to serve as a cooperating agency and will continue to participate in this effort. If you need further assistance please contact Lisa Gutierrez, Division Director for Boating Facilities and Public Access Planning at the Department of Natural Resources. She can be reached at 410-260-8778, toll free 877-620-8367, extension 8778, or by e-mail to lgutierrez@dnr.state.md.us. She will be pleased to assist you.

Sincerely,

John R. Griffin
Secretary

COMMONWEALTH of VIRGINIA

Office of the Governor

L. Preston Bryant, Jr.
Secretary of Natural Resources

P.O. Box 1475
Richmond, Virginia 23218

February 28, 2008

Mr. John Maounis
Superintendent
National Park Service
U.S. Department of the Interior
410 Severn Avenue
Annapolis, MD 21403-2524

Dear Mr. Maounis:

Thank you for your letter of February 21 inviting Virginia to be a cooperating agency in the development of the Captain John Smith Chesapeake National Historic Trail. Governor Kaine has asked me to respond to you on his behalf.

As you know, Virginia has been very supportive of the Trail from its inception and continues through the agencies of the Natural Resource Secretariat to be actively involved in the development of the Comprehensive Management Plan. Our lead agency for this has been the Department of Conservation and Recreation (DCR) under the direction of its director, Mr. Joseph H. Maroon.

DCR has developed two of the initial Captain John Smith Water trail maps, one for the James River and one for the York River, which we understand are being used as models for design and content consideration in development of other trail map segments. In addition, Mr. Maroon and his staff have been actively working with National Park Service (NPS) staff on both preparation of a Memorandum of Agreement for an inventory and gap analysis of public access sites on the Virginia portion of the trail and development of the trail interpretive plan.

We are pleased to serve in the capacity of a cooperating agency within the limits of our staff and resources. In this regard, I have asked Mr. Maroon to continue his lead role for the Commonwealth with respect to this project and coordinate the involvement of other agencies in the Secretariat as appropriate. Mr. Maroon can be contacted directly at (804) 786-2123.

We look forward to working with you and NPS staff on the trail. If I can be of any additional assistance, please let me know.

Sincerely,

L. Preston Bryant, Jr.

LBPJr/cbd
c: Joseph H. Maroon, Director, Department of Conservation and Recreation

Patrick Henry Building • 1111 East Broad Street • Richmond, Virginia 23219 • (804) 786-0044 • TTY (800) 828-1120
Fax (804) 371-8333 • Web: www.naturalresources.virginia.gov

Sarah Bransom

05/05/2008 09:53 AM EDT

To: "Albert, Neil (EOM)" <Neil.Albert@dc.gov>
cc: John Maounis/CBPO/NPS@NPS
Subject: Cooperating agency status for Washington DC

Sarah Bransom
Project Manager
Captain John Smith Chesapeake National Historic Trail
Chesapeake Bay Program Office
410 Severn Avenue Suite 109
Annapolis, MD 21403
410 295-3152
410 267-5777 (fax)
443 458-8434 (cell)

Thank you for the response. We will be in touch shortly with information about the planning process, major milestones, upcoming public workshops, etc.

Sarah

"Albert, Neil (EOM)"
<Neil.Albert@dc.gov>

05/05/2008 09:31 AM AST

To: <Sarah_Bransom@nps.gov>
cc:
Subject: RE: Cooperating agency status for Washington DC

Sarah - the District will participate as a cooperating agency for the Captain John Smith Comprehensive Management Plan. I will be the contact person for this effort and could be reached at 202.727.6365 or neil.albert@dc.gov. My assistant is Quoinett Warrick who could be reached at 202.727.6851 or quoinett.warrick@dc.gov.

-----Original Message-----
From: Sarah_Bransom@nps.gov [mailto:Sarah_Bransom@nps.gov]
Sent: Monday, May 05, 2008 9:15 AM
To: Albert, Neil (EOM)
Subject: Fw: Cooperating agency status for Washington DC

Sarah Bransom
Project Manager
Captain John Smith Chesapeake National Historic Trail
Chesapeake Bay Program Office
410 Severn Avenue Suite 109
Annapolis, MD 21403
410 295-3152
410 267-5777 (fax)
443 458-8434 (cell)

Good Morning Neil,

John Maounis forwarded your information to me. I am the project manager for the Captain John Smith Comprehensive Management Plan (CMP). Our office sent the mayor and invitation to be a formal cooperating agency for the trail plan. I have attached the letter with the hope that you might facilitate a response to the invitation. The response can be by email, with a contact person named to represent DC government if the invitation is accepted.

Please contact me if you have any questions.

Thank You,

Sarah

(See attached file: coop agency letter to Washington DC.doc)

----- Forwarded by Sarah Bransom/CBPO/NPS on 05/05/2008 09:10 AM -----

"John Maounis"
JMAOUNIS@chesapeakebay.net

To: <Sarah_Bransom@nps.gov>
cc:
Subject: Emailing Neil Albert
04/28/2008 02:26 PM AST

<<Neil Albert.vcf>>
The message is ready to be sent with the following file or link attachments:

Neil Albert

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.
(See attached file: Neil Albert.vcf)

Captain John Smith Chesapeake National Historic Trail

Trail Partners

(with signed partnership agreements, as of April 2010)

Annapolis Maritime Museum
Battle Creek Cypress Swamp
Belle Isle State Park
C&O Canal National Historical Park
Caledon Natural Area
Calvert Cliffs State Park
Calvert Marine Museum
Cape Charles Historic District
Chesapeake Bay Maritime Museum
Chesapeake Beach Railway Museum
Chickahominy Riverfront Park
Chippokes Plantation State Park
Delmarva Discovery Center
Deltaville Maritime Museum
Elk Neck State Park
First Landing State Park
Flag Ponds Nature Park
Friends of the Rappahannock
George Washington Birthplace NM
Great Bridge Lock Park
Great Falls Park
Greenwell State Park
Gunpowder Falls State Park
Havre de Grace Maritime Museum
Historic St. Mary's City
Historic London Town and Garden
Hoffler Creek Wildlife Foundation and Preserve
Janes Island State Park
Jefferson Patterson Park and Museum
Kings Landing Park
Kiptopeke State Park
Leesylvania State Park
Lynnhaven River NOW
Marshy Point Park
Mason Neck State Park
Mathews Blueways Water Trail
Mattaponi and Pamunkey River Water Trail
Nanticoke River Water Trail
Nauticus Maritime Center
North Point State Park
Piney Point Lighthouse Museum/St. Clements Island
Piscataway Park
Point Lookout
Powhatan Creek Blueway
Preservation VA
Sailwinds Visitor Center
Sandy Point State Park
Sassafras NRMA
Seaford Museum
Smallwood State Park
Solomons Visit. Info Center
Sotterley Plantation
Stratford Hall Plantation
Sultana Projects, Inc.
Tangier History Museum and Intercultural Center
Onancock Historic District and Town Warf (Town of Onancock)
Vienna Waterfront Park (Town of Vienna)
Virginia Living Museum
Westmoreland State Park
York River State Park

Memorandum of Understanding
Between
&
The National Park Service

I. Background

WHEREAS, the Chesapeake Bay is an internationally recognized resource of outstanding significance and the United States has entered into a partnership with states, the District of Columbia and others to conserve and restore the Bay through the Chesapeake Bay Program;

WHEREAS, the National Park Service, is committed through agreements and statutory requirements to support and advance conservation, restoration, public access, education and interpretation of the Chesapeake Bay and its natural, cultural and historical resources;

WHEREAS, Public Law 109-418 amends the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail (hereafter also referred to as CAJO or Trail) along the Chesapeake Bay and its tributaries in Virginia, Maryland, Pennsylvania, Delaware, and in the District of Columbia that traces the 1607 – 1609 exploratory voyages of Captain John Smith

WHEREAS Section 5 (25) of PL 90-543, the National Trails System Act authorizes the National Park Service to provide technical and financial assistance to partner organizations along National Historic Trails to aid in the development of the trails;

WHEREAS, , located on , provides access for people to experience, enjoy, learn about and contribute to Bay-related natural, cultural, historical and recreational resources along the Trail;

WHEREAS, has been nominated as a Trail partner site and the nomination has been reviewed and approved by the National Park Service;

NOW, THEREFORE, is formally designated as a Trail partner site participating in the Captain John Smith Chesapeake National Historic Trail and benefiting from the mutual commitments identified below:

II. The agrees to:

1. Sustain as a Trail partner site along the Captain John Smith Chesapeake National Historic Trail.
2. Cooperate with the National Park Service and other Trail partners, including the Friends of the John Smith Chesapeake Trail to advance the purposes of the Trail.
3. Advance the goals of the Trail: (a) enhancing place-based interpretation and education about the Bay and its related resources to increase public awareness and promote individual stewardship of

the Chesapeake Bay region; (b) facilitating access to the Bay and related resources; and (c) fostering conservation and restoration of resources in the Bay region.

4. Interpret the resources and stories associated with through interpretive and educational initiatives, programs, exhibits and materials which relate those resources to the Chesapeake Bay and the three core themes of the Trail: (a) the exploratory voyages of the Chesapeake Bay and its tributaries by Captain John Smith and his crew in 1607-1609; (b) American Indian societies and cultures of the 17th century; (c) the natural history of the Bay (both historic and contemporary).
5. Provide access to the Bay and tributaries from .
6. Provide appropriate public access to other Trail-related natural, cultural, historical, and recreational resources at the site, in accordance with sound resource management considerations and the Americans with Disabilities Act.
7. Maintain a schedule of operation to provide maximum public access, given seasonal visitation patterns and operational limitations. At a minimum, the site must be publicly accessible at least 4 days per week, including at least 1 weekend day, during the high visitation season.
8. Display and maintain the Trail logo and trail-wide orientation signage in a prominent location at the site entry or primary visitor facilities.
9. Include the Trail logo in brochures, maps, guides, interpretive exhibits or signage as appropriate. Trail partners must obtain prior written NPS approval for use of the Trail logo for promotional materials such as advertisements, merchandise sales, or marketing publications.
10. Obtain prior NPS approval for any public information releases (including advertisements, solicitations, brochures, and press releases) that refer to the Department of the Interior, the Captain John Smith Chesapeake NHT, the Chesapeake Bay Gateways and Watertrails Network, or any NPS employee .
11. Provide descriptive information on the site's resources, themes and operations for inclusion within the Trail's web sites. Establish a link to the Trail home page from the site's web site.
12. Ensure physical or programmatic linkages with other existing or potential sites and segments on the associated with the Trail. Promote networking opportunities with other sites.
13. Assist in marketing the Trail and other sites and segments of the Trail to visitors. Assist visitors' further explorations of Chesapeake Bay resources and stories. This will include, but is not limited to distributing the Trail's brochures, orienting visitors to the availability of the Trail; promoting awareness of the Trail's web site, and opportunities to explore their interests at other sites and segments along the Trail.
14. Promote and interpret conservation stewardship of Bay-related natural and cultural resources through site management, programming, marketing and citizen involvement.
    a) To the maximum extent practicable, manage the site in ways that improve watershed health through practices such as green building design and construction, environmentally sensitive design (ESD), low impact development (LID), recycling, and/or conservation landscaping.
    b) Ensure low-impact use of natural, cultural, historical and recreational resources associated with the site.
    c) Incorporate conservation messaging in interpretive, educational and marketing initiatives and materials.
    d) Identify and develop opportunities for involving volunteers in on-going resource restoration or conservation activities in order to broaden involvement in Bay conservation.

<u>III. The National Park Service agrees to</u>

1. Promote and support development of the Captain John Smith Chesapeake National Historic Trail and 's participation as a designated Trail partner.

2. Provide site/segment and interpretive planning assistance and other forms of technical assistance as funds and staffing permit. .
3. Provide regular updates via the Trail web site, email or other means on development of the Trail, and related issues and opportunities.
4. Assist with the identification, scoping and development of high priority projects at .
5. Assist to collaborate with NPS, the Friends of the John Smith Chesapeake Trail, and other trail partners on projects, marketing and promotion, volunteer efforts, and other mutually beneficial efforts.
6. Provide opportunities for the participation of 's staff in regional meetings and workshops focused on capacity building, project collaboration, networking, resource stewardship, marketing, etc.
7. Develop and maintain technical assistance tool kit(s) available to 's staff on the CAJO web site.
8. Expand and maintain the Trail web site as a major tool for promoting the Trail and all participating Trail partners including . Link from CAJO website to 's website.
9. Implement a variety of marketing initiatives to promote the Trail and Trail partners. These initiatives may include media events, promotional packages, special public events, and feature articles.
10. Include in Trail brochures and interpretive and marketing material as they are developed.
11. Develop and widely distribute Trail-wide brochures and other interpretive and marketing materials to promote and advance the Trail. Include in Trail-wide materials.
12. Supply a Trail sign for and provide access to Trail logos and related graphic materials.
13. Facilitate linkages with other potential or existing Trail locations which orient and direct visitors to Trail sites. Provide regular updates via the Trail web site, email or other means on development of the Trail, and related issues and opportunities.
14. Promote networking and collaborative opportunities among Trail partners to enhance cooperation and the sharing of resources. Include Your 's staff in meetings and other discussions, and other forums for communicating about development and promotion of the Trail.
15. Provide periodic training opportunities and associated materials for Trail partners via conferences, workshops, online sessions or other means.
16. Promote continued research related to the three core themes of the Trail: (a) the exploratory voyages of the Chesapeake Bay and its tributaries by Captain John Smith and crew in 1607 – 1609; (b) American Indian societies and cultures of the 17th century; (c) the natural history of the Bay (both historic and contemporary).
17. Develop and promote evaluation tools and techniques to measure the effectiveness of Trail-wide and site-specific initiatives.

IV. Term

This Memorandum of Understanding (MOU) shall be effective upon the date of the last signature below and shall remain in effect for five **(5)** years, subject to automatic renewal for subsequent terms of equal length. Either party may terminate this MOU, at any time, upon 60 days written notice to the other party.

NOTE: This Memorandum of Understanding and the commitments of the parties hereunder are subject to the availability of funding. (See General Provision B.) In addition, nothing contained herein shall be interpreted as obligating the National Park Service to provide funding, compensation or reimbursement pursuant to this Memorandum of Understanding.

V. GENERAL PROVISIONS

A. Non-Discrimination: During the term of this MOU, the Partners will comply with applicable laws prohibiting discrimination on the grounds of race, color, national origin, disability, religion, or sex in employment and in providing for facilities and services to the public, provided that by entering into this Agreement the Foundation does not agree to be subject to any laws or regulations to which it is not already subject by operation of law.

B. NPS Appropriations: Nothing contained in this MOU shall be construed as binding the NPS to expend in any one fiscal year any sum in excess of appropriations made by Congress, and available for the purposes of this MOU for that fiscal year, or as involving the United States in any contract or other obligation for the future expenditure of money in excess of such appropriations or allocations.

C. Member of Congress: Pursuant to 41 U.S.C. § 22, no Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or adopted by or on behalf of the United States, or to any benefit to arise thereupon.

VI. Authorizing Signatures

The National Park Service and make this Memorandum of Understanding, and the designation of as a Trail partner, effective upon the date of the last signature below.

For :

_____

Date

For the National Park Service:

_____

John Maounis, Superintendent Date
Captain John Smith Chesapeake National Historic Trail

Captain John Smith Chesapeake National Historic Trail

LAND PROTECTION STRATEGY

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APPENDIX K: Land Protection Strategy

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1.0 OVERVIEW

1.1 Land Protection Strategies for the Captain John Smith Trail

A. Land Protection in the Context of Trail Management Segment Plans[1]

Land protection strategies would be an integral part of the implementation planning process to develop management plans for each segment of the trail. Exceptions may occur in circumstances requiring land protection actions to occur prior to preparing management segment plans or in instances unforeseen by those documents.

B. Elements of a Comprehensive Land Protection Strategy

Although a single technique such as a conservation easement may be the most appropriate course of action to address specific land protection needs, the NPS and its partners would develop comprehensive strategies using a combination of techniques to protect the trail's resources. Such strategies would include the following elements:

1. Promoting Public Awareness of the Trail and Its Protection Needs
2. Recognizing Trail-Related Land Protection as Public Policy
3. Strategic Conservation Planning
4. Land Use Regulations
5. Landowner and Assistance and Conservation Incentives
6. Conservation Easements
7. Fee-Interest Land Acquisitions

Both time and partnerships would be required for all of these elements to contribute to an effective comprehensive land protection strategy.

1.2 Authorities and Policies

A. National Trail System Act

The National Trail System Act defines the federal protection components of national trails as follows:[2]

*"National historic trails shall have as their purpose the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment. Only those selected land and water based components of a historic trail which are on federally owned lands and which meet the national historic trail criteria established in this Act are included as Federal protection components of a national historic trail. The appropriate Secretary may certify other lands as protected segments of an historic trail upon application from State or local governmental agencies or private interests involved if such segments meet the national historic trail criteria established in this Act and such criteria supplementary thereto as the appropriate Secretary may prescribe, and are administered by such agencies or interests without expense to the United States". [*Sec. 3. 16USC1242]

The Act authorizes for the acquisition of land or interests in lands from willing sellers, with provisions for the re-conveyance of portions of those lands to those sellers or other parties.

"In acquiring lands or interests therein for a National Scenic or Historic Trail, the appropriate Secretary may, with consent of a landowner, acquire whole tracts notwithstanding that parts of such tracts may lie outside the area of trail acquisition. In furtherance of the purposes of this act, lands so acquired outside the area of trail acquisition may be exchanged for any non-Federal lands or interests therein within the trail right-of-way, or

[1] Internal Review Note. Need to address potential confusion associated with the meanings of *land* and *resource* protection.

[2] Internal Review Note. Should we be addressing the issue of certification in this section?

disposed of in accordance with such procedures or regulations as the appropriate Secretary shall prescribe, including: (I) provisions for conveyance of such acquired lands or interests therein at not less than fair market value to the highest bidder, and (ii) provisions for allowing the last owners of record a right to purchase said acquired lands or interests therein upon payment or agreement to pay an amount equal to the highest bid price. For lands designated for exchange or disposal, the appropriate Secretary may convey these lands with any reservations or covenants deemed desirable to further the purposes of this Act. The proceeds from any disposal shall be credited to the appropriation bearing the costs of land acquisition for the affected trail.' [Administration and Development, Sec. 7 (f) (2)]

B. NPS Management Policies Relating to Land Protection[3]

NPS Management Policies 2006 identifies the following methods for protecting park resources.

"The Park Service may employ a variety of different methods, as appropriate, for protecting park resources. These methods will be considered in the land protection planning process for each unit.

1. *Acquisition of fee-simple real property interest, possibly with arrangements for some rights to be reserved;*
2. *Acquisition of less-than-fee real property interests, such a easements or rights-of-way; and*
3. *Cooperative approaches, such as cooperative agreements, participation in regional consortiums, local planning and zoning processes, or other measures that do not involve federal acquisition of any interest in real property."* [3.2 Land Protection Methods, p 30]

NPS management policies address external threats to park resources and values as follows.

"External threats may originate with proposed uses outside a park that may adversely impact park resources or values. Superintendents will therefore be aware of and monitor land use proposals and changes to adjacent lands and their potential impacts. They will also seek to encourage compatible adjacent land uses to avoid or to mitigate potential adverse effects. Superintendents will make their concerns known and, when appropriate, actively participate in the planning and regulatory processes or neighboring jurisdictions, including other federal agencies and tribal, state, and local governments." [3.4 Cooperative Conservation, p 31]

NPS management policies provide the following guidelines for land protection planning.

"Planning for the protection of park lands will be integrated into the planning process for park management. Land protection plans (LPPs) should be prepared to determine and publicly document what lands or interests in land need to be in public ownership and what means of protection are available to achieve the purposes for which the unit was created.

A land protection plan should be simple and concise and document (1) what lands or interests in land would advance park purposes through public ownership, (2) what means of protection are available to achieve park purposes as established by the Congress., (3) the protection methods and funds that will be sought or applied to protect resources and to provide for visitor use and park facility development, and (4) acquisition priorities." [3.3 Land Protection Plans pp 30-31].

2.0 ELEMENTS OF A COMPREHENSIVE LAND PROTECTION STRATEGY

This section summarizes each of the elements of a comprehensive land protection strategy. It also provides examples of how such elements have been applied by public agencies and nonprofit organizations. In many of the examples, the highlighted element may be one of several protection techniques used by a particular agency or nonprofit organization.

[3] Internal Review Note. Management Policies 2006 also states that *Superintendents will be aware of and monitor state government programs for managing state-owned submerged lands and resources within NPS units. When there is potential for such programs to adversely impact park resources or values, superintendents will make their concerns known to appropriate state government officials and encourage compatible land uses that avoid or mitigate potential adverse impact.*

2.1 Promoting Public Awareness of the Trail and Its Protection Needs

The NPS and its partners would promote public awareness of the trail and its protection needs as a means for obtaining public understanding and support of land protection policies and programs that would benefit the trail. Efforts to raise public awareness would maintained on a long-term basis involving a number of actions such as those used by The Chesapeake Bay Foundation, whose long-running educational programs, publications, website and annual "State of the Bay" reports have reached thousands of people over several decades.

Summarized below are examples of national, state and regional programs that promote public awareness of environmental and land protection issues but not necessarily those related to trails. The Virginia Eastern Shore Tourism Council and Town of Perryville are also presented as examples of tourism and local communities that have linked John Smith to their local histories, thereby providing opportunities to enhance the public's awareness of the trail.

A. Partnerships to Raise Public Awareness - "Landscope America"

http://www.landscope.org/
http://www.landscope.org/virginia/partners/heritage/Natural%20Area%20Protection/

Landscope America, an initiative of NatureServe and the National Geographic Society is an online program intended to inspire the public to become engaged in land protection.[4]

"LandScope America—a collaborative project of NatureServe and the National Geographic Society—is a new online resource for the land-protection community and the public. By bringing together maps, data, photos, and stories about America's natural places and open spaces, our goal is to inform and inspire conservation of our lands and waters. LandScope America relies on the voluntary participation of partners from across America — from land trusts and other conservation groups to state and federal agencies, local governments, scientists, writers and photographers. We extend our thanks to everyone on this ever-growing list, which currently includes more than 140 organizations.

B. Promoting Public Understanding of Protection Needs - Maryland's Greenprint Program

http://www.greenprint.maryland.gov/programs.asp

Enhancing public awareness is statewide conservation needs is a key of objective of Maryland's Greenprint program.

"Greenprint Maryland is a first in the nation web-enabled map showing the relative ecological importance of every parcel of land in the State. Combining color-coded maps, information layers, and aerial photography with public openness and transparency, this valuable new tool applies the best environmental science and geographic information systems to the urgent work of preserving and protecting environmentally critical lands today. Greenprint is not only informing our land conservation decisions today, but also building a broader and better informed public consensus for sustainable growth and land preservation decisions into the future."

C. Public Outreach at a Regional Level - The Potomac Conservancy

http://www.potomac.org/site/land-protection/

The Potomac Conservancy uses its public outreach and education programs as important tools in accomplishing its conservation mission.

[4] The Commonwealth of Virginia is a partner in LandScope. See http://www.landscope.org/virginia/overview/

The Potomac Conservancy's primary seeks to protect water quality through land protection and sound land use practices, as well as preserve and restore the Potomac's scenic landscapes and enhance river-based recreational opportunities. Examples of some of its public outreach activities are:

1. *The Conservancy serves as a clearinghouse to inform people about opportunities for high-quality outings and low-impact practices, particularly through its recently renovated River Center at Lockhouse 8 in the C&O Canal National Historical Park.*
2. *The Conservancy offers countless ways for people to build deeper and longer-lasting relationships with the river through projects that actively involve individuals of all ages in its work, including the nationally acclaimed Growing Native seed collection.*

D. Linking John Smith to Heritage Tourism - Eastern Shore of Virginia Tourism Council

http://www.esvatourism.org/home.asp

Economic development through tourism can motivate local public support for protecting trail-related resources. The Tourism Council's website launch page begins with the following statement.

The Eastern Shore's first "tourist" Captain John Smith waxed poetically about our fair shores during his 1608 Chesapeake Bay voyage. Amazing –but it's still true. Our tiny peninsula is the last pristine stretch on the East Coast. Where the bay meets the sea, watermen till the tides and family farms stretch lush and green. Our small towns are as Southern as sweet potato pie. Wild Chincoteague ponies run free by the sea. And our string of natural barrier islands look the same as when Native Americans first dined on oysters here. Now it's your turn.

E. Community Identity with John Smith - Town of Perryville, Cecil County, Maryland

http://www.perryvillemd.org/index.html

Perryville's website explains its historic connection to John Smith's journeys.

"The rich history of the Town of Perryville began in 1608 when Captain John Smith became the first European explorer to navigate the Susquehanna River and visit the area. Perryville was first settled in 1622 when Edward Palmer was granted a patent for a settlement on what is now Garrett Island. In the 1600s, Lord Baltimore granted George Talbot 31,000 acres of land which included the Perryville area. Before incorporation in 1882, Perryville was known as Lower Ferry, circa 1695, Susquehanna, circa 1700s, and finally Perryville was named after Mary Perry, the wife of John Bateman."

2.2 Recognizing Trail-Related Land Protection as Public Policy

Building upon efforts to promote public awareness of the trail, the NPS and its partners would encourage the adoption of public policies that recognize the trail and its land protection needs. In turn, such policies could provide the basis for a variety of trail-related protection initiatives.

In recent years, many states have set ambitious goals for land protection. Virginia's current governor established a goal of preserving 400,000 acres during his administration. Similarly, Maryland's governor has established far reaching policies for restoring the Chesapeake Bay and expanding forested buffers and wetlands on public and private lands. Comparable policies have been established by a number of counties and local governments in the Bay region. The following examples do not explicitly address trail protection issues but suggest a means by which such issues could be incorporated into public policies for resource protection.

A. Establishing Statewide Goals - Delaware Green Infrastructure

http://www.dnrec.delaware.gov/GI/Pages/GIGoals.aspx

Under Executive Order 61 the Green Infrastructure Conservation Committee (GICC) was formed to recommend strategies for conservation and management and to assist in the development of an interconnected network of green spaces throughout the state. The GICC developed the following goals:

- *Preserve half of Delaware's remaining unpreserved commercially viable forest land by 2024.*
- *Preserve half of Delaware's remaining unpreserved cropland by 2024.*
- *Preserve 100 percent of the remaining natural resource and recreational priorities by 2024.*

B. County Resource Protection Goals - Comprehensive Plan for Gloucester County, Virginia (2001)

http://www.gloucesterva.info/planning/Information-Forms/Comprehensive%20Plan.pdf

Goal:
To conserve and manage Gloucester County's natural resources and community assets

Objectives:

1. *To protect Gloucester County's groundwater, surface water, rivers, bays and ultimately the Chesapeake Bay form pollution, sedimentation or depletion*
2. *To protect our wetlands and natural resources from unnecessary destruction due to increased drainage, filling, or construction that would hamper vegetation, water storage, erosion control, or support of plant and wildlife habits*
3. *To conserve prime agricultural and forested lands and guide residential, commercial, and industrial development to areas suitable for urban growth*
4. *To cooperate and actively work with local, regional, state and federal environmental agencies to implement safe and effective programs and policies to protect Gloucester's natural resources*
5. *To update and revise local ordinances as needed in order to protect and enhance the Count's natural resources"*

C. Resource Protection Goals - Preservation, Parks and Recreation Plan, Cecil County, Maryland (2005)

http://www.ccgov.org/uploads/PlanningAndZoning/General/Cecil%202005%20LPPRP.pdf

"Cecil County's efforts to protect natural resources are grounded in the following Comprehensive Plan's major goal statements for natural resources. These goals complement the State's goals pertaining to protection of waterways; using land management techniques and regulations to protect sensitive areas; and working with others to achieve natural resource goals:

- *Strictly control development in and adjacent to sensitive and critical resource areas,*
- *Promote the use of sound agricultural practices to reduce erosion and runoff,*
- *Cooperate with other agencies to protect shorelines, wetlands, and all water bodies,*
- *Enforce stormwater management and erosion controls"*

D. Historic Preservation Policies - Baltimore County's 2010 Master Plan

http://resources.baltimorecountymd.gov/Documents/Planning/imported_documents/mphistoric.pdf

"Historic structures and their settings provide continuity with the past, establish a tangible sense of place, and enhance the aesthetic environment of the county…Baltimore County has preserved and still retains significant historic resources. Preserving significant districts, structures, and potential archeological sites is a county goal, because the economic and social value of the built environment relies significantly on the aesthetic contributions of historic resources. Nevertheless, part of our local heritage continues to be at risk because of continuing qualitative erosion caused by neglect, abandonment or the intrusion of poor design and incompatible uses."
Baltimore County Master Plan 2010 (p 208)

2.3 Strategic Conservation Planning

The NPS and its partners would use strategic conservation planning to identify and address high priority land protection needs, particularly those associated with trail's high potential segments and sites. Such efforts would be proactive, with emphasis given to taking conservation actions to reduce the risks of threats to trail-related resources.

Referred to by different names, strategic conservation planning is an important protection technique used effectively by land trusts and a number of public agencies. Summarized below are examples of a state agency's role in strategic planning as well as the planning programs of several national conservation organizations. Many regional and local land trusts also have strong strategic planning capabilities.

A. Natural Area Protection - Virginia Natural Heritage Program

http://www.landscope.org/virginia/partners/heritage/Natural%20Area%20Protection/

"Natural area protection staff selects and implement strategies to protect the conservation sites identified through the inventory process. Natural area protection requires an understanding of the many factors that may affect the quality of a site, landowner attitudes and interests, which resource protection tools would be most appropriate and what may be accomplished with the resources available. …

Natural area conservation planning begins by gathering information about the site, including natural heritage resources, geology, hydrology, landscape features, ecological processes, threats, and economic and social factors influencing the site. After information is gathered and analyses are completed, site conservation boundaries are delineated. These boundaries are not regulatory zones or acquisition areas, but they guide protection and stewardship activities for natural areas and the natural heritage resources that they support. Conservation boundaries encompass areas within which land protection or landowner contacts are recommended."

B. "Development by Design" - The Nature Conservancy
http://www.nature.org/aboutus/development/art30709.html

"The Nature Conservancy's Development by Design incorporates landscape-level conservation planning to dramatically improve on traditional mitigation efforts. By blending conservation planning with the "mitigation hierarchy" — first avoid, then minimize/restore, and finally offset — Development by Design addresses these critical issues for effective mitigation:

The four-step framework of Development by Design is (a) transparent and transferable to industry and regulators, and (b) complementary to the environmental assessment process.

1. *Develop a landscape conservation plan (or use an existing conservation plan);*
2. *Blend landscape conservation planning with mitigation hierarchy to evaluate conservation and development conflicts;*
3. *Determine the residual impacts associated with development and select an optimal offset portfolio;*
4. *Estimate the offset contribution to conservation goals."*

C. "Greenprinting" - Trust for Public Land

http://www.tpl.org/tier2_pa.cfm?folder_id=3130

" Greenprinting helps communities make informed decisions about land conservation. It can galvanize public support and encourage partners to work toward common goals… TPL has developed GIS models that combine layers of spatial information to guide growth-management efforts"

TPL's Greenprint activities include: (partial listing)

- *A community defines its own criteria for the lands it wants to protect. Its highest priority lands are then mapped on a greenprint.*
- *Parks gap Analysis*
- *Mapping reveals which neighborhoods are most in need of parks and where land in those neighborhoods might be available to create parks.*
- *By mapping stream buffer areas, slope profiles, soil types, and other data, greenprinting shows where land conservation can protect water quality.*
- *These models identify lands whose conservation would create contiguous natural resources such as forests, wetlands, and wildlife habitat.*
- *Greenprinting finds opportunities to link or expand existing trail systems."*

D. "Strategic Conservation" - The Conservation Fund -

http://www.conservationfund.org/strategic_conservation

"The Conservation Fund's strategic conservation services use a green infrastructure planning approach—simultaneously focusing on the best lands to conserve and the best lands to accommodate development and human infrastructure—to help communities, state and federal agencies, and businesses balance environmental and economic goals through strategies that lead to smarter, sustainable land use.

Strategic conservation recognizes that limited resources are available to identify and protect the lands most suitable for conservation and that competing values, needs and opportunities must be evaluated to develop the most efficient and effective land conservation strategies.

Every community is unique; that's why we provide customized services. The Fund draws from its strategic conservation toolkit to help corporations, transportation agencies, military services, city and county elected officials, regional and watershed organizations, natural resource agencies and nonprofits design comprehensive and customized strategies that balance land protection and development."

2.4 Land Use Regulations

The NPS and its partners would support regulatory processes of federal, state, tribal and local jurisdictions that contribute towards protecting trail-related resources. Of particular interest would be regulations protecting woodlands, wetlands and other features representing the trail's evocative historic landscapes and significant sites.

Maryland and Virginia have regulatory programs designating "critical areas" and "preservation areas" to help protect the Bay shoreline and its tributaries. Effective local land use regulations are equally important. Kent County's land use ordinance and Dorchester County's forest conservation regulations are representative of the kinds of regulations that exist in many local jurisdictions.

A. Statewide Regulatory Program - Maryland Critical Areas

http://www.dnr.state.md.us/criticalarea/

The Critical Area Act, passed in 1984, created a Commission, initially charged with adopting regulations and criteria necessary to implement the Act. That effort was completed in 1985, whereupon the Commission was required to review and approve all local government plans, programs, ordinances and regulations proposed a part of a jurisdiction's Critical Area Program. The Act was significant and far-reaching, and marked the first time that the State and local governments jointly addressed the impacts of land development on habitat and aquatic resources.

The law identified the "Critical Area" as all land within 1,000 feet of the Mean High Water Line of tidal waters or the landward edge of tidal wetlands and all waters of and lands under the Chesapeake Bay and its tributaries. The law created a statewide Critical Area Commission to oversee the development and implementation of local land use programs directed towards the Critical Area that met the following goals:

 APPENDIX K: Land Protection Strategy

- *Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;*
- *Conserve fish, wildlife, and plant habitat in the Critical Area; and*
- *Establish land use policies for development in the Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in the Critical Area can create adverse environmental impacts.*

B. Virginia's Chesapeake Bay Preservation Area Regulations

http://www.dcr.virginia.gov/chesapeake_bay_local_assistance/documents/act_regs/regs_9-4-08.pdf

Chesapeake Bay Preservation Areas Designations
Providing direction for local government designation of the ecological and geographic extent of Chesapeake Bay Preservation Areas: divided into Resource Protection Areas and Resource Management Areas subject to the criteria and requirements of the act

Protection Areas include: tidal wetlands, non-tidal wetlands, tidal shores, buffer areas, etc. Resource management areas shall include floodplains, highly erodible soils, including step slopes, highly permeable soils, non-tidal wetlands, and other lands.

C. Resource Conservation Zoning District - Kent County , Maryland

http://www.kentcounty.com/gov/planzone/newzone/Part1_A10.pdf

Statement of Intent

- *Conserve, protect, and enhance the overall ecological values of the Critical Area, its biological productivity and its diversity;*
- *Provide adequate breeding, feeding, and wintering habitats for those wildlife populations that require the Chesapeake Bay, its tributaries, or coastal habitats to sustain populations of those species;*
- *Conserve the existing developed woodlands and forests for the water quality benefits that they provide; and*
- *Conserve the land and water resource base necessary to maintain and support such uses as agriculture, forestry, fisheries; activities and aquaculture.*

D. Forest Conservation Standards -Dorchester County, Maryland

http://ecode360.com/?custId=DO0950

§96-1. Purpose. The purpose of this chapter is to establish minimum technical standards for the submission and approval of forest stand delineation, forest conservation plan and other performance standards enumerated herein. The County Commissioners have determined that to meet the requirements of Natural Resources Article, § 5-1601 et seq., Annotated Code of Maryland, the provisions of this chapter must be enacted.

2.5 Landowner Assistance and Conservation Incentives

The NPS and its partners would seek opportunities to assist landowners whose lands are associated with trail-related resources. Services offered to landowners would include: resource assessments, identifying potentially viable alternatives for land conservation, and providing information on conservation incentive programs such as those administered by Soil and Water Conservation Districts and other public agencies. Where possible, collaborative working relationships would be developed with multiple landowners within a strategic conservation area.

Summarized below are landowner assistance programs offered by the Land Conservation Office of the Virginia Department of Conservation and Recreation and the Eastern Shore Conservancy. A number of other land trusts working in the Bay region also have extensive experience in working with landowners.

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A. Land Conservation Office - Virginia Department of Conservation and Recreation

http://www.dcr.virginia.gov/land_conservation/index.shtml

The office helps citizens and organizations protect land by:

- *Helping interested landowners understand all the different options available for protecting their land;*
- *Providing information regarding land conservation to the public; and*
- *Providing services to state agencies, local governments, land trusts and professionals through technical assistance, workshops and training, and serving as a clearinghouse for COMPLETE*

B. Conservation Options for Landowners - Eastern Shore Conservancy

http://www.eslc.org/

"The Eastern Shore Land Conservancy (ESLC) is a private, not-for-profit 501(c) (3) charitable corporation… founded in 1990 as a result of widespread concern that the Eastern Shore's important wildlife habitat and prime farmland were being consumed by sprawling development. The decision was made by the founders to preserve land on Maryland's Eastern Shore in order to keep prime farmland in agriculture, to protect unique natural areas, and to perpetually monitor those lands to ensure that preservation is permanent. ESLC's Land Protection Program, which helps private landowners explore and implement various preservation options, has been the core function of the Conservancy through its first decade. This toolbox of preservation options includes gift conservation easements, Maryland's farmland preservation easement program, Maryland's Rural Legacy easement program, county transferable development rights programs, the family farm preference from federal estate taxes, and other options and combinations.

As a result of these efforts, ESLC has to date:

- *Preserved over 45,000 acres of the Eastern Shore's important natural habitat areas and prime farmland on 245 properties;*
- *Established a record of preservation that far exceeds any other local land conservancy in Maryland and is one of the most successful in the country;*
- *Received conservation easement and other property interests on which more than $40 million worth of development rights have been extinguished;*
- *Rescued six highly threatened priority properties on 1,146 acres and worth over $12 Million using our new Land Rescue*
- *Revolving Fund. In two cases, the properties are key links in trail systems and will allow public access and serve as permanent urban growth boundaries."*

2.6 Conservation Easements

The NPS and its partners would encourage landowners to convey conservation easements on lands that include trail-related resources. Existing easement programs would be used for such purpose, such as those managed by the Maryland Environmental Trust, the Virginia Outdoors Foundation and other qualified land trusts.

A. Maryland Environmental Trust

http://www.dnr.state.md.us/met/index.asp

The Maryland Environmental Trust has over 1,000 conservation easements totaling 122,000 acres.

The Maryland Environmental Trust (MET) is a statewide land trust governed by a citizen Board of Trustees. It was created by the General Assembly in 1967. Our goal is the preservation of open land, such as farmland, forest land, and significant natural resources. Our primary tool for doing this is the conservation easement, a voluntary agreement between a landowner and MET.

A conservation easement is a legal agreement between a landowner and a land trust (like MET), which restricts the future uses of the landowner's property. It is binding on all future owners of the property. An easement often specifies such things as the amount of subdivision that is allowed on a property, or the number of houses that may be built. It does not grant public access to a property unless the landowner specifically wishes to allow it. Conservation easements are tailored to fit a landowner's individual situation, and the terms of the easement are arrived at only after detailed discussions between the landowner and the land trust. A landowner may choose to have his or her easement held jointly by two land trusts, such as MET and a nonprofit local land trust. Maryland Environmental Trust Conservation Easement Guide

B. Virginia Outdoors Foundation

http://www.virginiaoutdoorsfoundation.org/

The Virginia Outdoors Foundation currently protects 580,000acres across 102 cities and counties.

The Virginia Outdoors Foundation (VOF) was created by the General Assembly in 1966. It was established in the Code of Virginia under § 10.1-1800, which states: " The Virginia Outdoors Foundation is established to promote the preservation of open-space lands and to encourage private gifts of money, securities, land or other property to preserve the natural, scenic, historic, scientific, open-space and recreational areas of the Commonwealth. The Virginia Outdoors Foundation is a body politic and shall be governed and administered by a board of trustees composed of seven trustees from the Commonwealth at large to be appointed by the Governor for four-year terms. The idea behind the creation of the Virginia Outdoors Foundation was among the recommendations of the 1964 Virginia Outdoor Recreation Study Commission, which also suggested the creation of a Historic Landmarks Commission, a system of scenic byways, and an enlarged state park system. On June 13, 1968 the first VOF easement was recorded – 102 acres in Goochland County.

2.7 Land Acquisitions

The NPS and its partners would acquire lands from willing sellers to protect significant trail resources in instances where such acquisitions would be preferable to other land protection alternatives. Existing federal, state, county, local and nonprofit land acquisition programs would be used for such purposes. Examples of successful state managed programs in Virginia and Maryland are summarized as follows.

A. Virginia Land Conservation Foundation

http://www.dcr.virginia.gov/virginia_land_conservation_foundation/

In 1999, the General Assembly and the governor established the VLCF to help fund protection of these resources. Funds from the foundation are used to establish permanent conservation easements and to purchase open spaces and parklands, lands of historic or cultural significance, farmlands and forests, and natural areas. State agencies, local governments, public bodies and registered (tax-exempt) nonprofit groups are eligible to receive matching grants from the foundation.

"Since its inception in 1999, more than $40 million has been allocated to the Virginia Land Conservation Fund, of which $8.8 million was allocated to the Virginia Outdoors Foundation. Those funds help leverage additional conservation dollars from federal, local and private sources. For example, the 2007 grant round of $6.2 million leveraged an additional $18.7 million in matching grants. Through 2008, VLCF grants have helped to protect over 31,270 acres of Virginia's most important lands, from farms on the Eastern Shore, to parklands in Chesterfield, to Civil War battlefields in the Shenandoah Valley. Many lands protected through VLCF provide public recreational use and access to significant natural resource lands."

"The purpose of the foundation is to provide state funding used to conserve certain categories of special land. Those categories are open spaces and parks, natural areas, historic areas, and farmland and forest preservation. The money comes from the Virginia Land Conservation Fund, which is managed by the foundation. A portion of the fund may be used for developing properties for public use. Grants used for acquisition are generally used only for current projects; only in exceptional cases - where considerable public benefit and compelling, unusual financial need and circumstances have been shown - might grants be made for already complete purchases.

The foundation establishes, administers, manages - including the creation of reserves - and makes expenditures and allocations from the Virginia Land Conservation Fund, which is special, non-reverting money in the state treasury. One major function of the foundation is to make matching grants to holders and public bodies for:

- *purchasing fee simple title to or other rights, interests or privileges in property for the protections or preservation of ecological, cultural or historical resources*
- *lands for recreational purposes*
- *lands for threatened or endangered species, fish and wildlife habitat*
- *natural areas*
- *agricultural and forestal lands and open space.*

The Virginia Department of Conservation and Recreation provides staff and administrative support. An Interagency Taskforce reviews and recommends grant applications to the Virginia Land Conservation Foundation. Grant awards are based on applications for 50 percent or less of total project costs pursuant to specific criteria defined in each category."

B. Maryland Program Open Space

http://dnr.maryland.gov/land/pos/pos_stateside_targeting.asp

Established in 1969, Program Open Space (POS) symbolizes Maryland's long-term commitment to conserving natural resources while providing exceptional outdoor recreation opportunities. The Stateside of POS acquires parklands, forests, wildlife habitat, natural, scenic and cultural resources for public use.

The "POS Targeting System" begins with an ecological screen that uses an ecological baseline to select "Targeted Ecological Areas". From the collection of selected areas, a programmatic screen will use implementation criteria to identify "Annual Focus Areas". Finally, a parcel screen will be used to assess, score, and prioritize parcels within the focus areas. A smaller portion of State POS funds will still be used to acquire high priority recreational, cultural, and historic sites, providing key Chesapeake Bay access points, trails connections, and state park in-holdings.

Program Open Space (POS) is a nationally recognized program with two components, a local grant component often called Localside POS and a component that funds acquisitions by the State. The first component provides financial and technical assistance to local subdivisions for the planning, acquisition, and/or development of recreation land or open space areas, including dedicated funds for Maryland's state and local parks and conservation areas. Established under the Department of Natural Resources in 1969, POS symbolizes Maryland's long term commitment to conserving our natural resources while providing exceptional outdoor recreation opportunities for our citizens.

Today there are more than 5,000 individual county and municipal parks and conservation areas that exist because of the program. Almost all of the land purchased by the DNR in Maryland in the last 40 years was funded at least in part through POS.

APPENDIX K: Land Protection Strategy

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