

 <p>DOE MOUNTAIN RECREATION AREA</p>	<p>POLICY</p>
<p>TRAIL CONNECTIONS FROM ADJACENT PROPERTY POLICY Doe Mountain Recreation Area (DMRA)</p>	<p>Effective Date: 07-01-2020</p>
<p>Approved By: _____</p> <p>DMRA Board Chairman</p>	<p>First Issue Date: 07-01-2020 Review/Revised:</p>
<p>SUBJECT: Trail Connections from Adjacent Property Policy regarding requests from adjoining landowners wishing to connect to the Doe Mountain Recreation Area trail system.</p>	

Attachment: Trail Connection Application Form

I. RESPONSIBLE OFFICE

The Doe Mountain Recreation Authority Board (DMRA Board) is responsible for overseeing this Trail Connections from Adjacent Property Policy.

II. PURPOSE

This policy is intended to address the growing demand from park property neighbors to build trail and trail head infrastructure on their property in order to connect to the Doe Mountain Recreation Area trail system. This policy provides the DMRA Executive Director (DMRA ED) guidance on how to screen trail connection requests and issue a Trail Connection Permit if/when it is determined that the requested connection ENHANCES the park for public recreational purposes.

III. DISCLAIMER

The guidelines under this policy are a basis for internal administrative review and guidance only. They are not intended to, do not, and may not be relied upon to create any substantive or procedural rights.

IV. SCOPE

Doe Mountain Recreation Area, Johnson County, Tennessee.

V. AUTHORITY

Tennessee Code Annotated § 11-25-103

VI. BACKGROUND

Doe Mountain Recreation Area is owned by the Doe Mountain Recreation Authority (DMRA), a nonprofit, public corporation. The DMRA possesses full dominion and control over its 8,600-acre park, which is surrounded by hundreds of privately-owned properties. There is no public right or entitlement to enter Doe Mountain Recreation Area, and the DMRA requires all park visitors to physically possess an appropriate user permit at all times. The DMRA is a unique ownership entity that relies upon user permit fees to fund its operations. Trespassing on park property is strictly prohibited.

The DMRA has constructed an extensive network of multi-use recreational trails on its property. This trail system consists of trails designated for off-highway vehicles (OHV), hiking, biking, and equestrian travel. Some of the trails allow multiple use types simultaneously, while other trails are restricted to non-motorized traffic due to site-specific issues such as sensitive ecosystems, water resources, soil erosion, public safety, *etc.*

There is a growing demand from private neighbors adjacent to Doe Mountain Recreation Area to construct trail access directly to the DMRA trail system and trail head infrastructure on *their* property that link to the DMRA's trail system at the property boundary.

The DMRA ED shall provide a Trail Connection Application Form to any individual property owner or groups requesting to connect to the DMRA trail system from adjacent property. An Annual Adjacent Property Access Fee will be charged to all applicants receiving permission to proceed. A Trail Connection Permit may be issued only after the DMRA ED and the Executive Committee of the DMRA Board determine that the proposed trail connection will not impair park resources, negatively affect park visitor experience, and is consistent with the mission of the DMRA Board.

VII. GENERAL:

A. Objectives

1. The development of this policy is to formalize the process of private neighboring landowners applying for and being permitted to directly connect to the DMRA trail system. This policy provides the DMRA ED with guidelines on handling and processing requests for trail system connections to ensure consistency in the review of requests, to determine if the request is appropriate for the particular area on the park, and to confirm that the request is consistent with the mission of the DMRA Board.
2. The DMRA ED shall provide a Trail Connection Application Form to any individual or groups requesting connection to the DMRA's trail system from adjacent property, UNLESS:
 - a. The proposed trail connection poses a clear and present danger to public health or safety and the protection of the park's natural resources, at the DMRA ED's

discretion;

- b. The proposed trail connection is of such nature or location that the park's operations cannot reasonably accommodate the connection, and/or;
 - c. Reasons for which a trail connection may not be reasonably accommodated include, but are not limited to: if the trail connection is inconsistent with the purposes for which Doe Mountain Recreation Area was established; if the trail connection will unreasonably interfere with the use of the area by the general public; if the trail connection promotes trespassing, vandalism, and other crimes and/or places unreasonable demands on the park's budget.
3. The DMRA ED will consider whether a proposed trail connection is appropriately matched to the Doe Mountain Recreation Area, including consideration for possible damage and/or impairment to park property, facilities, and park values.

The Trail Connection Permit may contain such reasonable conditions and restrictions as are necessary for protection of the park and public use thereof, including but not limited to: site plan requirement; prohibition of commercial use, unless applicant has been properly registered with the DMRA as an Authorized Commercial Operator; disclosure of gates, signs, and/or fencing at the DMRA property boundary; appearance, security, and maintenance standards, and; indemnification for injury/damage resulting from the trail connection. Issuance of a Trail Connection Permit is subject to the applicant's fulfillment of all applicable requirements and will require payment of an Annual Adjacent Property Access Fee to the DMRA. Copies of all issued Trail Connection Permits will be kept on file at the park for audit purposes for a period of three (3) years.

4. Trail Connection Permits must be renewed on an ANNUAL basis; failure to renew, or failure to comply with a permit's conditions and restrictions, will result in permit cancellation.
5. The DMRA ED and Executive Committee of the DMRA Board reserve the right to open, close, modify, change, restrict, and/or abandon any trail on park property, including those with trail connections to adjacent private land, in their sole and absolute discretion.

VIII. PROCEDURE:

A. Application for Trail Connection Permit

Park Management shall provide a Trail Connection Application Form to any individuals or groups requesting to connect to the DMRA trail system from adjoining, private property. The Trail Connection Application Form should be completed and submitted to the DMRA ED at the park location.

The DMRA ED has the authority to either approve or reject the application. If the

application is approved, the applicant must remit an Annual Adjacent Property Access Fee to the DMRA, and the applicable terms and conditions will be documented in the Trail Connection Permit. If the application is rejected, the DMRA ED will provide a brief description explaining the decision. The DMRA ED may elect to forward any Trail Connection Application Form to the Executive Committee of the DMRA Board for further consideration.

B. Trail Connection Costs

All costs of a permitted trail connection must be borne, in their entirety, by the permit holder. The Doe Mountain Recreation Area cannot provide logistical support items such as staff time, gates, fencing materials, signage, *etc.* unless specified and approved by the DMRA Board of Directors, which may then grant the DMRA ED the discretion to implement logistical support items.

C. Resource Protection

1. The park's existing natural and cultural resources and landscape features must be protected from damage or injury when trail connections are constructed:
 - a. No digging or trenching on park property is permitted during trail connection construction;
 - b. No attachments may be made to existing landscape features on park property, including affixing items to existing trees or other vegetation, and;
 - c. No trees may be felled on park property unless specified and approved in advance by the DMRA ED.

D. On-Site Supervision and Security

The DMRA ED and DMRA Board are not responsible for providing supervision of and security for trail connections on adjacent private property.