

## Naches Ranger District Trail Volunteer Program

### Vision Statement

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#### Trail Volunteer Program Objectives

The primary goal of the trail volunteer program is to more effectively and efficiently integrate volunteers into annual trail management activities in order to improve the quality of the National Forest trail system on the Naches Ranger District. It will supplement rather than replace existing established volunteer programs.

#### Trail Volunteer Program Components

The trail volunteer program will include up to six primary components: volunteer coordinators, annual volunteer projects, a formalized "Adopt-A-Trail" program, a volunteer tool cache, education volunteers and geographical efficiencies.

I. Volunteer Coordinators

Ideally, at least five volunteers representing each of our primary user groups (4WD Jeeps, Hiker, Horsemen, Motorcycle and Quads) will help manage individual volunteers and assist with the coordination of designated adopt a trail representatives and annual volunteer maintenance projects. These individuals would be identified as points of contact for interested trail volunteers on the Forest web site and sponsored web sites. They would serve as the primary clearinghouse for helping match the interests and skill levels of individual volunteers with appropriate work parties and/or Adopt-A-Trail partner groups and assist with management of a volunteer tool cache.

II. Annual Volunteer Maintenance Projects

The District, in conjunction with local volunteers/volunteer organizations, would sponsor at least four trail maintenance projects annually – one each on OHV, hiker, horse and motorcycle National Forest System trails. Participation in work parties by a "cross-pollination" of members from different interest groups will be encouraged to facilitate collaboration, mutual respect and understanding across interest groups.

### III. Adopt-A-Trail Program

A formal process for identifying and recognizing trail maintenance partners will be established. The Adopt-A-Trail Program will help provide critical maintenance and management of National Forest system trails to agency design parameters. Trails staff will discuss potential system trails eligible for "adoption" with organizations, interest groups and individuals/families. Selections for adoption will be based on a trail's need for maintenance as well as the organization's abilities. Formal participation will start with the signing of a sponsored volunteer agreement to help maintain or manage a trail segment, trail or group of trails. A minimum of a three-year commitment to the program will be required but longer term partnerships will be encouraged. Successful trail maintenance partners on a trail or group of trails will retain priority for future adoption assignments on those trail(s). The adopters of a trail will be identified on the Forest web site and sponsored web sites, and the designated representative will serve as a primary point of contact for volunteer coordinators (see above), potential individual trail volunteers and Forest Service staff.

### IV. Volunteer Tool Cache

Over time, a cache of tools and/or personal protective equipment (PPE) available for trail volunteer use will be available in a secure but readily accessible location. Initial stocking, supply and refurbishment of the cache may come from donations, grants and Forest Service contributions. Volunteer coordinators will assist with inventory, maintenance and check-in/check-out procedures for the cache.

### V. Education Volunteers

A volunteer program to assist with public contact and education will be maintained. Volunteers will help teach and promote light on the land ethics using established programs such as "Tread Lightly" and "Leave No Trace" and help educate trail users about local rules, maintenance issues and policy. Volunteers will be encouraged to educate through direct field contact and hosted education programs at local schools.

## VI. Geographic Efficiencies

Continuing effort will be made throughout the evolution and management of the trail volunteer program to capitalize on management efficiencies stemming from the geographical relationships of trail systems and assigned responsibilities.

### **Adopt-a-Trail Program Details**

Trail partnerships will be formally recognized by volunteer agreements with a minimum three year commitment, though longer terms will be encouraged. Successful trail maintenance partners on a trail or group of trails will retain priority for future adoption assignments on those trail(s).

The Adopt-A-Trail program will recognize two distinct levels of stewardship: "Friends of the Trail" and "Trail Stewards".

Friends of the Trail: These are partners committed to completing one or a few annual trail maintenance tasks on a trail or group of trails, such as annual brushing/clearing or conducting trail condition inventories (see complete task list below under "Trail Stewards"). When it makes sense, "Friends of the Trail" could be matched with "Trail Stewards" to perform specific annual tasks on select trails, thereby allowing stewards to focus their efforts on other needed maintenance work.

Trail Stewards: These are partners committed to overseeing all aspects of trail management on a trail segment, trail or group of trails, such as:

- Trail inventory and condition assessment
- Annual trail maintenance that includes clearing the trail of downed trees and limbs and brush that encroach on the trail, cleaning and repairing erosion control structures such as water bars, repairing tread damage and fixing damaged trail structures
- Developing short and long term plans to repair damaged sections of trail
- Installing new water bars or other needed drainage structures
- Providing protection for stream crossings, meadows and wet areas
- Placing rocks or logs on trail for drainage or tread stabilization
- Maintaining trails to design parameters for designated use and trail class
- Removing traces of any use that occurs off the designated trail

- Removing litter and foreign items from the trail corridor
- Installing, maintaining, replacing trail signs, markers, trailhead signs and bulletin boards

As noted above, "Trail Stewards" may be matched with and rely upon "Friends of the Trail" to perform select components of annual trail maintenance tasks. "Trail Stewards" may also forge relationships with other individual volunteers or volunteer groups to oversee the accomplishment of annual trail maintenance tasks.

All trail partner volunteer crew leaders will be taught by Forest Service staff how to perform annual condition surveys and routine trail maintenance, reconstruction and/or construction techniques appropriate to the specific work tasks identified in their volunteer agreements. Volunteer trail partner groups will work at their own pace and schedule within a generally recommended time frame.

#### **Adopt-a-Trail Volunteer Partner Responsibilities**

- Provide one person from the group to become the liaison with the Forest Service and to coordinate all volunteer work on the trail (from both your organization and other potential interested volunteers). This person would be identified as a point of contact for the adopted trail(s) on the Forest Service internet site.
- Provide labor to perform agreed upon maintenance work activities on district trails that meets National Forest design parameters for each particular trail segment.
- Provide crew leaders willing to attend the Forest Service trails workshop offered each spring.
- Maintain borrowed tools and equipment and notify the Forest Service of needed repairs or replacements.
- Schedule no less than three work days, or two trips, per year.
- Complete a work log for each work day.
- Provide necessary adult supervision and leadership for group when work is being done.
- Notify the Forest Service when the trail is open for the season.
- Report all volunteer hours and accomplishments to the Forest Service at season end using forms provided.
- Follow Forest Service safety and training requirements, including the use of personal protective equipment [PPE]. Ensure all volunteers have PPE appropriate for the work being performed on work days.

- Ensure crew leaders have current basic first aid certification.

### **Adopt-A-Trail Forest Service Commitments**

- Provide guidance and training on routine trail maintenance, trail reconstruction and trail condition assessment techniques to ensure volunteer work meets Forest Service design parameters.
- Loan and/or help secure tools and equipment for volunteer use.
- Provide necessary signs, materials and supplies (as available).
- Provide “Trail Steward” adoption signs only for posting at appropriate locations after one successful year of trail maintenance by an organization.
- Assist in addressing special maintenance and difficult reconstruction situations.
- Help provide training and certification for chainsaw and equipment use as necessary.

### **Adoption Priorities**

Only existing National Forest system trails will be considered for adoption. Trail adoption will occur on a “first come – first serve” basis. Trail adoption assignments will be made at the discretion of the District Ranger. In the event that a trail available for adoption is requested by one or more groups, preference will be given to the group, organization or individual that:

- Proposes to adopt a trail in its entirety or to adopt the largest proportion of a trail or group of trails; and/or
- Proposes to perform the greatest extent of trail maintenance work (e.g., brushing and clearing as well as tread and drainage work); and/or
- Demonstrates a higher capacity for performing trail maintenance work (e.g., higher number of proposed annual work parties, number of volunteers expected, existing cadre of skilled crew leaders, existing available tool cache, demonstrated experience); and/or
- Demonstrates a commitment for working mutually with and coordinating volunteers from other organizations, groups and/or individual volunteers, such as forging mutually beneficial trail work partnerships that match interests and skill sets across organizations and user groups to accomplish a greater number of trail management tasks each year; and/or
- Have a past history of solid performance in significant trail maintenance/reconstruction work.

In some instances, initial assignment for adoption of a trail, or group of trails, may be completed through negotiation with other interested parties and Forest Service staff. "Friends of the Trail" proponents may be partnered with and asked to coordinate with a lead "Trail Steward" where organizational interests in a trail or group of trails overlap.

### **Trail Partnership Long Term Goals**

Over time, levels of interest and commitment within volunteer groups should increase so that trail partner groups should be able to help achieve the following program goals:

- Enough volunteers/volunteer time will be donated to the adopted trail that annual, routine maintenance requirements will go down in time.
- As the group gains expertise, they may conduct training sessions with the Forest Service to certify additional volunteer trail crew leaders.
- Within two years and with the assistance of the Forest Service, partnership groups should be able to begin to purchase a few tools to start their own tool cache. Groups may develop partnerships with local businesses willing to provide cash or material donations, and/or become successful at obtaining and managing grants to support their trail maintenance work.
- Within five years, the group should have the expertise to manage the adopted trail(s) and perform annual routine maintenance and deferred trail maintenance work with minimal Forest Service assistance unless extenuating circumstances arise.
- Adopt-a-Trail assignments may be renegotiated with partners to better harness geographical management efficiencies.

### **Adopt-A-Trail Disclaimers**

Tools for trail work are very sharp and dangerous. Volunteers proposing to operate chainsaws and machinery/heavy equipment are required to maintain appropriate Forest Service training and certifications. This program is not appropriate for youth under 12 years of age, and volunteers must be 16 years of age to use a swinging tool such as a Pulaski. This is hard, dusty work in rugged terrain and volunteers should be in good physical condition.

The first year of adoption by a partnership group is considered "probationary". If performance is less than satisfactory in this first year, the Forest Service maintains the right to terminate the volunteer agreement and make the trail available for adoption by another group, organization or individual.

The trail adoption program does not give the adopting organization, group or individual any rights to exclusive use to trails or trailheads on proposed work party and/or other dates. It is expected that the adoptees will embrace participation by any volunteer expressing an interest in scheduled work parties regardless of organizational affiliation, race, color, national origin, age, disability, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program.

The intent of the Adopt a Trail program is to maintain public access to a high quality recreation experience through increased coordination of maintenance on all existing system trails, regardless of adoption status. The program celebrates the value of the existing National Forest trail system and volunteer investments in these assets. The program provides no mechanism for making additions to or deletions from the National Forest trail system. Full public involvement in accordance with the provisions of the National Environmental Policy Act (NEPA) continues to be a requirement for any proposed adjustment to the existing National Forest system trail inventory.

## **Appendix A: Status of Volunteers with Respect to Liability**

### **FSM 1800, Chapter 1830, Volunteer Program 1835.1 - Status of Volunteers**

Volunteers do not have the status of a Federal employee with respect to provisions of law relating to recruitment, employment, compensation, and employee benefits. However, for the purpose of the tort claim provisions of title 28 of the United States Code, a volunteer is considered a Federal employee. For the purpose of 5 U.S.C. 81, subchapter I, which concerns compensation to Federal employees for work injuries, volunteers are deemed civil employees of the United States within the meaning of the term "employees," as defined in 5 U.S.C. 8101.

Volunteers shall enjoy the same degree of protection by State and local law enforcement agencies as all members of the general public. In those circumstances where State or local law enforcement officials are not reasonably available, Forest Service officials may, under 36 CFR 261.3c, arrest persons interfering with, threatening, or intimidating a volunteer when performing duties assigned by the Forest Service. In appropriate circumstances, volunteers may also file a criminal complaint under State law.

### **28 USC 2674 - Sec. 2674. Liability of United States**

The United States shall be liable, respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances, but shall not be liable for interest prior to judgment or for punitive damages.

If, however, in any case wherein death was caused, the law of the place where the act or omission complained of occurred provides, or has been construed to provide, for damages only punitive in nature, the United States shall be liable for actual or compensatory damages, measured by the pecuniary injuries resulting from such death to the persons respectively, for whose benefit the action was brought, in lieu thereof.

With respect to any claim under this chapter, the United States shall be entitled to assert any defense based upon judicial or legislative immunity which otherwise would have been available to the employee of the United States whose act or omission gave rise to the claim, as well as any other defenses to which the United States is entitled.

## **Federal Employment Compensation Act - FECA - 5 U.S. Code Chapter 81**

The Federal Employees' Compensation Act (FECA), 5 USC Chapter 81, provides compensation benefits to Federal employees for work-related injuries or illnesses, and to their surviving dependents if a work-related injury or illness results in the employee's death. The FECA is administered by the Department of Labor, Office of Workers' Compensation Programs (OWCP). The 12 OWCP district offices adjudicate the claims and pay benefits, and the costs of those benefits are charged back to the employing agency.

### **Definition of Tort (from Wikipedia, March 2012)**

A **tort**, in common law jurisdictions, is a civil wrong. Tort law deals with situations where a person's behaviour has unfairly caused someone else to suffer loss or harm. A tort is not necessarily an illegal act but causes harm and therefore the law allows anyone who is harmed to recover their loss. Tort law is different to criminal law, which deals with situations where a person's actions cause harm to society in general. A claim in tort may be brought by anyone who has suffered loss. Criminal cases tend to be brought by the state, although private prosecutions are possible.

Tort law is also differentiated from equity, in which a petitioner complains of a violation of some right. One who commits a tortious act is called a **tortfeasor**. The equivalent of tort in civil law jurisdictions is *delict*. Tort may be defined as a personal injury; or as "a civil action other than a breach of contract."

A person who suffers a tortious injury is entitled to receive "damages", usually monetary compensation, from the person or people responsible — or liable — for those injuries. Tort law defines what is a legal injury and, therefore, whether a person may be held liable for an injury they have caused. Legal injuries are not limited to physical injuries. They may also include emotional, economic, or reputational injuries as well as violations of privacy, property, or constitutional rights. Tort<sup>1</sup> cases therefore comprise such varied topics as auto accidents, false imprisonment, defamation, product liability (for defective consumer products), copyright infringement, and environmental pollution (toxic torts), among many others.

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<sup>1</sup> In much of the common law world, the most prominent tort liability is negligence. If the injured party can prove that the person believed to have caused the injury acted negligently – that is, without taking reasonable care to avoid injuring others – tort law will allow compensation. However, tort law also recognizes intentional torts, where a person has intentionally acted in a way that harms another, and "strict liability" or quasi-tort, which allows recovery under certain circumstances without the need to demonstrate negligence.

## **Appendix B: Roles and Responsibilities of Volunteer Coordinators**

- Track Projects and Help Coordinate Work Parties
- Tool Cache and Equipment Staging Coordinator
- Reporting on Tool/Equipment Status, Safety Issues, Needs
- Communications: Forest Service Staff, Other Coordinators, Adopt-a-Trail Groups, Other Volunteer Groups, Individual Volunteers
- Annual Reporting for Adopt a Trail, District Projects, Other Projects
- Tracking of FS Provided Training Certifications for Volunteers
- Assessment of Manpower Needs for Special Projects

## Appendix C: Safety

Volunteers are deemed civil employees of the United States with regards to compensation to Federal employees for work injuries (see Appendix A). It is therefore necessary for Forest Service volunteers to comply with the USDA Health and Safety Code Handbook (FSH 6709.11) while in the performance of their duties. To help achieve this goal, the following measures, at a minimum, shall be implemented:

- Volunteers will be provided with copies of or access to the USDA Health and Safety Code Handbook.
- Volunteers will be provided with appropriate national, regional and/or local volunteer orientation and safety information and checklists.
- Volunteers will be required to maintain the appropriate training and current (not expired) certification(s) necessary for the operation of any specialized tools, machinery and/or equipment relating to the performance of their work (e.g., chainsaws, cross-cut saws, heavy equipment, unlicensed vehicles).
- Volunteers will be provided with access to Job Hazard Analyses (JHA) relating to each job performed. Volunteers will review and annually sign JHAs for each job performed.
- Volunteers will use all Personal Protective Equipment (PPE) required by a JHA for the job they are performing (e.g., hard hats, gloves, chaps, safety glasses, ear protection).
- Volunteer Crew Leaders will be trained in the performance, documentation and reporting standards for Tailgate Safety Sessions and Near Miss Incidents.
- Processes for communicating, sharing and updating critical safety information between the Forest Service employees and volunteers in a timely manner will be established.