

Options for a Governance Structure To Guide the Construction and Operation of the Salmonberry Trail



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Governance – An Introduction

The Oregon Solutions (OS) program has been engaged by the Oregon Department of Forestry to provide some guidance on establishing a governance structure to lead and manage the construction and operation of the Salmonberry Trail in northwest Oregon.

Governance can be described in a variety of ways. Basically, it's the exercise of authority, control, or management of an activity through policies, rules, and people working together. A simple way to think about it is a group of people associated by some common tie or working relationship and regarded as an entity.¹ In our case, we will focus on how public agencies and stakeholders have organized themselves and their support groups to construct, support, manage, and maintain their trail systems. We will look at the different roles and responsibilities of public agencies, nonprofit corporations, and the business community, and also review the language used in the written agreements that memorialize their activities.

What has been the governance structure for the project thus far? In May of 2012, the Oregon Department of Forestry (ODF), the Oregon Parks and Recreation Department (OPRD), the Port of Tillamook Bay (POTB) and Cycle Oregon (a 501(c)(3) nonprofit corporation entered into Memorandum of Understanding (MOU), thereby forming a partnership “to plan and implement a feasibility study for a trail connection between the Oregon Coast and the Willamette Valley through the Tillamook State Forest, in particular along the footprint of the Port of Tillamook Bay Railroad connecting Banks and Tillamook.”

The four signatories on the MOU—ODF, OPRD, POTB, and Cycle Oregon, were joined by representatives from Tillamook and Washington Counties, and from the Tillamook Forest Heritage

¹ See <http://www.thefreedictionary.com/>

Trust (TFHT) to form a Core Leadership Group to help guide the project forward.

Signing the MOU began a 14 month planning process for the corridor which has resulted in a Final Draft Salmonberry Concept Plan, dated Fall, 2014.² The process included input from more than 30 stakeholders who collaborated in producing the Concept Plan. An intergovernmental, collaborative approach has been used to guide the project thus far, with a great many stakeholders contributing to the process.

Governance Systems Used Elsewhere in the United States

In addition to the interviews in which governance ideas were solicited from stakeholders, extensive research was conducted by OS staff to examine governance structures used by other multi-jurisdictional trail systems throughout the United States. Together, those interviews and research led to the governance options presented later in this report for further discussion and consideration.

In 2007, the Rails-to-Trails Conservancy began recognizing significant rail-trails around the country through its Rail-Trail Hall of Fame program. They select trails based “on merits such as scenic value, high use, trail and trailside amenities, historical significance, excellence in management and maintenance of facility, community connections and geographic distribution. Hall of fame rail-trails receive a variety of honors, including special signage to place along their trails, a Trail of the Month feature and a highlight in Rails to Trails magazine.”³

²

https://salmonberrycorridor.files.wordpress.com/2014/11/salmonberry_final_draft-concept-plan.pdf

³ See their website at <http://www.railstotrails.org/our-work/trail-promotion/rail-trail-hall-of-fame/>

Rails-to-Trails Conservancy – Rail-to-Trail Hall of Fame

Name of Trail Corridor	States	Length in Miles	Basic Governance Structure
Great Allegheny Passage	Maryland/PA	150	A Coalition of Stakeholders
Katy Trail State Park	Missouri	225	State Parks and Friends Group
Fred Marquis Pinellas Trail	Florida	34	County and Friends Group
Burke-Gilman Trail	Washington	17	City and Friends Group
Minuteman Bikeway	Massachusetts	10.4	State Parks and Friends Group
Illinois Prairie Path	Illinois	61	A Coalition of Stakeholders
Elroy-Sparta State Trail	Wisconsin	32	State Parks and Friends Group
Bizz Johnson Trail	California	25.4	Federal (BLM)
W&OD Trail	Virginia	44.8	Special District and Friends Group
Monon Trail	Indiana	15.7	City and Friends Group
Silver Comet/Chief Ladiga Trails	Georgia/Alabama	61.5/33	A Coalition of Stakeholders
East Bay Bicycle Path	Rhode Island	14	State Parks
Pere Marquette Rail-Trail of Michigan	Michigan	30	A Coalition of Stakeholders
Little Miami Scenic Trail	Ohio	28	A Coalition of Stakeholders
Paul Bunyan Trail	Minnesota	112	State Parks and Friends Group
Wabash Trace Nature Trail	Iowa	53	A Coalition of Stakeholders
Prairie Spirit Rail Trail State Park	Kansas	51	State Parks and Friends Group
Springwater Corridor	Oregon	21.5	A Coalition of Stakeholders
The High Line	New York	1	City and Friends Group
George S. Mickelson Trail	South Dakota	109	State Parks and Friends Group
Peavine and Iron King Trails	Arizona	9.2	City and Friends Group
Longleaf Trace	Mississippi	40.25	Special District and Friends Group
Trail of the Coeur d'Alenes/ Route of the Hiawatha Trails	Idaho/Montana	73/15	State Parks and Friends Group
Historic Union Pacific Rail Trail State Park	Utah	28	State Parks and Friends Group
Island Line	Vermont	14	A Coalition of Stakeholders
Greenbriar River Trail	West Virginia	78	State Parks and Friends Group
Virginia Creeper Trail	Virginia	34.3	A Coalition of Stakeholders

The table above shows the 27 Rails-to-Trails Conservancy Hall-of-Fame trails, the state they are in, the length of trail miles, and the basic governance structure leading and managing the trail system. The information provides a quick primer on governance structures used on some of America's more famous trails.

The types of basic governance structures shown in the above table can be summarized as:

a. A unit of government plus a Friends Group. A state, county, city, or special district working with a Friends Group.

b. A Coalition of Stakeholders. Some sort of collaboration, working together in a partnership to build, manage, and support the trail system.

There is a third category we found in reviewing websites of trails not a part of the Hall of Fame

award—a nonprofit corporation with primary responsibility for owning and/or managing and supporting the trail system, often working with a variety of governments. These examples will also be highlighted below.

As you can see, the most prevalent governance system on the list is a government agency working with a Friends Group—which in many ways could also be defined as a collaboration.

Governance Structure of Similar Trail Corridors

We identified a number of trail systems around the country that are the length and complexity of the Salmonberry Trail. Below is a quick summary of what we found.

Trail: Great Allegheny Passage (GAP)

Description: The Great Allegheny Passage (GAP) is a 150-mile multi-use passage that connects with the 185.4-mile C&O Canal Towpath at Cumberland, MD, to create a continuous 334.5 rail-to-trail bike path. Construction on the first section began in 1986. The trail was completed in 2013.

Type of Governance Structure: Coalition of Stakeholders. Each segment of the trail is maintained by one state, local, county, or non-profit organization. The GAP is governed by the Allegheny Trail Alliance, a coalition of seven trail organizations. Each organization has Board representation and is responsible for raising funds, collaborating with stakeholders, maintaining, promoting and improving their segments of the Great Allegheny Passage.⁴

Unique Features: Trail Town Program. The Trail Town Program is an economic development and community revitalization initiative working in “Trail Towns” along long distance trails across the Allegheny Passage. The program’s purpose is to ensure that trail communities and businesses maximize the economic potential of the trail. The

⁴ From their website at <http://www.atatrail.org/au/who.cfm>

program also works to address trail-wide issues and opportunities through regional cooperation and to build the connection “between trail and town,” so that there are safe and well-marked routes into the towns.

They work extensively along five trail corridors including 21 towns.⁵ They have produced a Trail Town Manual⁶ that is designed to help develop an economic development strategy for towns along a trail. Their strategy includes:

- a. Enticing trail users to get off the trail and into your town
- b. Welcoming trail users to your town by making information about the community readily available at the trail
- c. Making a strong and safe connection between your town and the trail
- d. Educating local businesses on the economic benefits of meeting trail tourists’ needs
- e. Recruiting new businesses or expanding existing ones to fill gaps in the goods or services that trail users need
- f. Promoting the “trail-friendly” character of the town
- g. Working with neighboring communities to promote the entire trail corridor as a tourist destination.

The other unique feature of this trail system is a 63-page graphic identity and sign manual addressing logo style, color and usage, as well as location, layout and building specifications to create a unified look and feel to the trail. The manual is available at <http://www.atatrail.org/docs/GAPGuidelines.pdf>

Trail: Illinois Prairie Path, Illinois

Description: The Illinois Prairie Path⁷ is a multi-use nature trail for non-motorized public use. It spans approximately 61 miles in Cook, DuPage and Kane Counties in northeastern Illinois. A former right-of-

⁵ From their web site at <http://www.trailtowns.org/>

⁶ <http://www.atatrail.org/pv/docs/1TTManual.pdf>

⁷ From their web site at <http://www.ipp.org/>

way for the old Chicago Aurora & Elgin electric railroad, it was the first U.S. rail-to-trail conversion in the nation in the 1960's.

Type of Governance Structure: Coalition of Stakeholders. The path was originally purchased by a county and then purchased from them by a nonprofit in the early 1960's. In 1986 during the national liability insurance crisis, the nonprofit lost its coverage and DuPage County agreed to take over the maintenance of the Path. Segments of the Path are maintained by DuPage County, Kane County Forest Preserve District, Fox Valley Park District, Elmhurst Park District, Wheaton Park District, Villa Park, Glen Ellyn, Warrenville, Berkeley, Hillside, Lombard, Maywood, with support from the volunteer board of the Illinois Prairie Path (IPPC).

Unique Features: The Illinois Prairie Path corporation is a private Illinois not-for-profit 501(c)(3) corporation. The IPPC's all-volunteer board of directors uses the membership dues for projects and trail amenities.

Trail: Silver Comet/Chief Ladiga Trails, Georgia/Alabama

Description: The combined Silver Comet⁸ and Chief Ladiga trail length is estimated to be 94.5 paved miles from Smyrna, Georgia to Anniston, Alabama. This non-motorized, paved trail is for walkers, hikers, bicyclists, rollerbladers, horses, dog walkers, and is wheelchair accessible. Both the Silver Comet Trail and Chief Ladiga are fully paved rail-trails built on abandoned railroad lines.

Type of Governance Structure: Coalition of Stakeholders. The Georgia Department of Transportation purchased the ROW in 1992. Cobb County assists with operations and major maintenance (remodeling their section of the trail including restoring six pedestrian bridges, repaving the trail, and improving the surrounding areas), the PATH Foundation assists with support tasks.

⁸ From their web site at <http://www.silvercometga.com/index.shtml>

Unique Features: Web site says fully paved for 94.5 miles.

Trail: Pere Marquette Rail-Trail, Michigan

Description: By late summer, 2001, the Pere Marquette Rail Trail stretches from downtown Midland to the outskirts of Clare, a distance of 30 miles; and provides many barrier-free, non-motorized recreation and transportation opportunities.

Type of Governance Structure: Coalition of Stakeholders. The first part of the Rail Trail was opened to the public in mid-June of 1993. The City of Midland owns the original three-mile portion of the trail, since it's located within the city limits. This section was developed by the Midland Area Community Foundation. In early 1998, the County of Midland transferred ownership of the 8.25 mile undeveloped portion of the trail in Isabella County to Isabella County. This transfer opened the door for development of the trail from Coleman to the City of Clare. This section of the trail opened in the summer of 2001.

Unique Features: Michigan State University completed a study of the user base on the trail in 2002. It's available at this web site: http://media.wix.com/ugd/3908e7_4c610e735d2c49f987f233fe38d836eb.pdf

Trail: Little Miami Scenic Trail, Ohio

Description: The Little Miami Scenic Trail⁹, also known as the Little Miami Scenic River Trail and Little Miami Bike Trail, is the fourth longest paved rail trail in the U.S., running 68.5 miles through five southwestern counties in the state of Ohio. The multi-use trail sees frequent use by hikers and bicyclists, as well as the occasional horseback rider.

Type of Governance Structure: Coalition of Stakeholders. Most of the trail runs along a dedicated, car-free corridor maintained by the Ohio Department of Natural Resources known as Little Miami State Park. The linear state park passes through four counties.

⁹ http://en.wikipedia.org/wiki/Little_Miami_Scenic_Trail

Unique Features: Over 350,000 people made use of the trail in 2005.

Trail: Wabash Trace Nature Trail, Iowa

Description: The Wabash Trace Nature Trail¹⁰ is 63 miles long and is a rail-to-trail corridor. The Wabash Trace's surface is primarily crushed limestone, with sections of pavement in the towns of Shenandoah, Malvern and Silver City.

Type of Governance Structure: Coalition of Stakeholders.

Unique Features: Although trail advocates get some help from government agencies, the pathway is still primarily a volunteer-run trail, which accounts for the \$1 fee charged for a day pass (a year-long pass costs \$10). The northern part of this trail runs through Iowa's scenic and unique Loess Hills, a geological formation found to this great extent only in Iowa and China.

Trail: Springwater Corridor, Oregon

Description: The Springwater Corridor¹¹ connects several parks and open spaces in the Portland metropolitan area, including Tideman Johnson Nature Park, Beggars-tick Wildlife Refuge, the I-205 Bike Path, Leach Botanical Garden, Powell Butte Nature Park, and Gresham's Main City Park. It is a multi-use trail. The paved surface is generally 10-12 feet wide with soft shoulders. The hard surface trail is designed to accommodate walkers, joggers, hikers, bicycles, wheelchairs, and strollers. Equestrian use is more common east of I-205 where a separate soft surface path meanders away from the main trail where topography allows.

Type of Governance Structure: Coalition of Stakeholders. Much of Springwater Corridor was acquired by the City of Portland in 1990 (and is still owned by the city), with additional acquisitions by

¹⁰ From their web site at <http://www.inhf.org/trails/wabash-trace.cfm>

¹¹ From their web site at <https://www.portlandoregon.gov/parks/finder/index.cfm?action=ViewPark&PropertyID=679><https://www.portlandoregon.gov/parks/finder/index.cfm?action=ViewPark&PropertyID=679>

Metro in the following years. Master planning for the Corridor began in 1991, and included input from citizens, agencies, organizations, and municipalities, including Portland Department of Transportation; Oregon Department of Transportation; the cities of Gresham and Milwaukie; Metro; Clackamas and Multnomah counties; the 40 Mile Loop Land Trust; and the Johnson Creek Corridor Committee.

Unique Features: The Springwater Corridor is the major southeast segment of the 40-Mile Loop which was inspired by the 1903 Olmsted plan of a parkway and boulevard loop to connect park sites. The eventual developed trail will be over 21 miles long.

Trail: Virginia Creeper Trail, Virginia

Description: The Virginia Creeper Trail¹² is a shared-use trail (mountain biking, hiking, equine) connecting Abingdon, Virginia, with the Virginia-North Carolina border 1.1 miles east of Whitetop Station, Virginia. The total length of the trail is 33.4 miles. The last Virginia Creeper train ran in 1977. Much of the trail goes through private land. There are three visitor centers along the trail: one at the Damascus Caboose, the old Green Cove Station, and the rebuilt Whitetop Station. All are open weekends May-October. Mount Rogers Interpretative Association has a variety of items for sale at each center. There are 47 trestles on the trail. The U.S. Forest Service and Virginia Creeper Trail club volunteers have refurbished the decking & railings on 23 trestles in the last three years. The U.S. Forest Service operates a bike patrol along the Creeper from Damascus to Whitetop Station from May-October. Over 100,000 people enjoy the trail each year.

Type of Governance Structure: Collaboration of Stakeholders. The Virginia Creeper Trail is owned by two municipalities and one Federal Agency. In 1977 removal of the track began and the land in Virginia was secured by the US Forest Service for a recreation trail. Policies are jointly recommended

¹² <http://www.vacreepertrail.org/>

by the Creeper Trail Advisory Board. The Virginia Creeper Trail Club is a private nonprofit corporation whose purpose is to maintain, promote and preserve the Virginia Creeper Trail corridor and to help develop and conduct public education programs regarding its scenic and natural qualities. It is an IRS certified tax-exempt 501 (c)(3) nonprofit organization. The Creeper Trail Advisory Board is a group created by the three trail owners to manage the policies of the trail as they cross jurisdictional boundaries in order to promote a uniform experience for trail users along the length of the trail. Each trail owner must individually adopt any recommendations from the CTAB and continues to maintain full ownership autonomy over their section. The members of this body include representatives from the following: Trail owner-Town of Abingdon; Trail owner-Town of Damascus; Trail owner-United States Forest Service; Jurisdictional partner-Washington County, VA; Adjacent landowners; Nonprofit organization-Virginia Creeper Trail Club. The CTAB meets bimonthly.

Trail: Iowa River Trail, Iowa

Description: The Iowa River Corridor Trail is located in Iowa City, and connects two parks.¹³ The trail provides access to downtown Iowa City and the University of Iowa and their trail systems. The Old Capitol Building is one block off the trail on campus (Clinton Street and Iowa Avenue). Future connections will link to the Coralville city trail system.

Type of Governance Structure: Coalition of Stakeholders. The coalition includes the county, cities, a nonprofit support group, and a nonprofit foundation. The trail corridor is 34 miles long and connects six towns and two counties. Of the six cities only two have populations over 2,500. According to the staff person, county government did not want to own the trail, so one city saw the value of the trail and decided that they would own (and only own) the trail throughout the entire

¹³ <http://www.inhf.org/trails/iowa-river-corridor-trail.cfm>

county including 12 miles of trail outside their jurisdiction. The ROW is owned by Hardin County and the city of Marshalltown. While these entities were willing to own, neither was willing to be entirely responsible for development or maintenance of the trail, so the city of Marshalltown created TRAILS, Inc., a volunteer nonprofit that oversees, fundraises and volunteers labor for the development and maintenance on the trail.

Hardin County created a new county board and called it the Hardin County Trails Commission, but there are no paid employees nor does this new “department” receive funding from the county’s general budget. Being made a county commission just allowed the new group to bypass developing a nonprofit and allows them to use county resources for accounting and grant management. Their role and responsibility is similar to TRAILS, Inc. The county conservation board did not nor did the county engineering department have any interest in trail development or maintenance. The Hardin County Trails Commission is responsible for those tasks.¹⁴

Unique Features: Considerable support from the Iowa Natural Heritage Foundation.

Trail: Olympic Discovery Trail, Washington

Description: The route of the Olympic Discovery Trail (ODT)¹⁵ is bordered on the south by the Olympic Mountain Range and on the north by the Strait of Juan de Fuca. It starts in the Victorian seaport of Port Townsend and spans approximately 130 miles east to west, ending on the shores of the Pacific Ocean. The trail is a wide, paved pathway designed to multi user standards for bicyclists, hikers, and disabled users, with a 4’ shoulder for equestrians where appropriate. Construction

¹⁴ Email from Andrea Boulton, Iowa Natural Heritage Foundation

¹⁵ From their web site at http://www.olympicdiscoverytrail.com/about_us/trail_group.html and Phone conversation with the nonprofit Board President.

started in the 1990's. Completed sections will total 53 miles by 2012, with right of way agreements in place for over 65 miles.

Type of Governance Structure: Primarily nonprofit management and operations with ownership by a variety of governments. The Peninsula Trails Coalition (PTC) was formed in 1987 to represent the hiking, biking and equestrian communities of the North Olympic Peninsula. It was incorporated as a non-profit corporation of the State of Washington in 1988 and granted 501(c)3 status. Its mission is to establish a shared trail for its constituent groups. During the 24 years since the inception of the PTC, the trail has been named the Olympic Discovery Trail and has grown from a vision of the coalition members to a broadly accepted regional objective. PTC coordinates with and supports the 10 federal, state, county, city and tribal jurisdictions who are the public owners responsible for segments of the trail. PTC advocates for uniform route selection and construction standards for all segments of the trail. PTC, with support from the North Olympic Visitors Bureau, has developed and maintains the official trail web site, www.olympicdiscoverytrail.com. The coalition also publishes a quarterly newsletter and maintains an email data base to reach the membership with "breaking news". The PTC coordinates with and supports major connecting trails, such as the Sound to Olympics Trail and the Pacific Northwest National Scenic Trail. PTC solicits and manages donated funds which are used to support construction and maintenance of the trail. PTC is governed by a 14 person Board of Directors, who appoint a President, Vice Presidents for Clallam and Jefferson County, Treasurer, and Secretary. The officers are confirmed by the membership at the annual meeting.

Unique Features: Two unique features: 1) According to the President of the nonprofit, the governments along the route do not have an interlocal agreement to guide the trail ownership and management through the length of the corridor. 2) The nonprofit manages extensive volunteer-based trail construction and

maintenance projects. Construction projects have included conversion, with new decking, railings, and ramps, of all the railroad trestles along the route, including three that are over 400 feet long. Route construction projects vary from preliminary brushing and flagging, clearing and staking, to complete construction of trail sections including the installation of signs and bollards. They have also created trail heads with landscaping, built fences, and installed sanicans. They staff and manage an extensive Adopt-a-Trail program. About 60 miles of completed ODT and 25 miles of the adjunct Adventure Route are currently adopted by PTC volunteers

Trail: Bear Creek Greenway, Oregon

Description: The Bear Creek Greenway¹⁶ is soon to be a 20-mile paved multi-use trail that links the cities of Ashland, Talent, Phoenix, Medford and Central Point, in southern Oregon. The Greenway is continuous from the Ashland Dog Park to Pine Street in Central Point. The newest section from Upton Road to the Dean Creek Frontage Road (just north of the Jackson County Fairgrounds) adds nearly another mile to the trail, and plans to "fill the 1.4-mile gap" through the Expo are now underway, with construction expected to be completed in June of 2014. Parks along the route provide parking, restrooms, and drinking water.

Type of Governance Structure: Coalition of Stakeholders through an intergovernmental agreement. A Joint Powers Committee made up of representatives from each jurisdiction, provides management of the corridor. There is also a very active Foundation.¹⁷

Unique Features: The intergovernmental agreement outlines how each party will be responsible for regular annual funding for operation and maintenance of the trail within their respective city limits or boundaries approved by Joint Powers Committee. An appendix to the IGA

¹⁶ From their web site at

<http://jacksoncountyor.org/parks/Greenway/Bear-Creek-Greenway-Map>

¹⁷ <http://www.bearcreekgreenway.com/learn/vision-history/>

presents a methodology for determining how much each jurisdiction will pay.

Trail: Wisconsin Cooperative Trails

Description: Wisconsin has 41 State Trails open to the public, covering more than 1,700 miles. Fourteen trails are managed by the Wisconsin Department of Natural Resources; twenty-five trails are managed by county partners; two trails are National Scenic Trails. The DNR Regional staff work to determine if there is an entity (County) willing to develop, operate, manage and maintain the corridor as a trail. If there is not, the DNR must determine if the corridor is attractive enough as a recreational opportunity for the DNR to take on development, operation, management and maintenance responsibility given current resources of the department.

Type of Governance Structure: Coalition of Stakeholders with a Lead State Agency. An example of a Friends Group that supports one of the 41 trails is the The Friends of the Ahnapee State Trail, a nonprofit organization. It was created exclusively for the promotion, development and maintenance of the trail. The Friends partner with Kewaunee and Door County and the Wisconsin Department of Natural Resources in developing and maintaining the trail. Friends of the Ahnapee is a grass roots group dedicated to raise the consciousness of the local people and potential visitors to the quality aspects of the trail. This is accomplished through publications, special events, and interpretive and community programs including “hands-on” projects. They monitor trail use and condition, plan improvements, conduct events, undertake maintenance and solicit funds to support the trail. All their work is volunteer.¹⁸

Unique Features: There are three unique features of this lead state agency model: 1) There are seven regional Department of Natural Resources Trail Coordinators that work on developing rail-to-trail pathways throughout the State. 2) Wisconsin has a State Trails Council, created by statute 15.347(16)

¹⁸ <http://www.ahnapeestatetrail.com/friends/>

in 1989. The council provides advice and consultation to the Department of Natural Resources on the planning, acquisition, development and management of trails in Wisconsin. The council represents trail users in Wisconsin, which includes more than half of the state's residents. The council is also responsible for providing counsel in administering Federal Recreational Trails Program funds. The council is an independent forum for finding solutions to trail problems for both motorized and non-motorized groups and is a statewide advocate for public/private cooperation in funding and management of trail systems. Wisconsin is a national leader in creating partnerships that provide for state ownership coupled with county management of trails.¹⁹ 3) The state has developed a comprehensive Memorandum of Understanding between the state and a county that wants state assistance. The MOU is available here:

<http://dnr.wi.gov/topic/parks/trails/pdfs/genericmou.pdf>

Trail: Cannon Valley Trail, Minnesota²⁰

Description: The Cannon Valley Trail was dedicated in May of 1986, is about 20 miles long, and attracts close to 100,000 users a year. The trail runs through diverse and spectacular scenery on a former Chicago Great Western Railroad line connecting the cities of Cannon Falls, Welch and Red Wing in southeastern Minnesota. Paralleling the Cannon River, the Trail offers glimpses and panoramas of the valley and gradually descends 115 feet in elevation from Cannon Falls to Red Wing.

Type of Governance Structure: County government is the ROW owner and two cities are involved in managing the trail on a daily basis. The Trail is administered by a nine-member Joint Powers Board referred to as the Cannon Valley Trail Joint Powers Board. The board consists of

¹⁹ <http://dnr.wi.gov/topic/parks/stc/>

²⁰ From their web site at <http://www.cannonvalleytrail.com/> and phone conversation with the Trail Manager.

three local citizens and six elected officials. There is a Friends Group that supports the trail, produces a quarterly newsletter, offers discounts on their fee system to use the trail, and provides input on policy decisions.

Unique Features: The city of Red Wing handles all fiscal matters for the trail system, while the city of Cannon Falls is the employer of staff and handles all human resources issues. Goodhue County is the owner of the right-of-way. Their use fee raised over \$100,000 last year for trail operations.

Governance Models with Examples

The Table on page 2 provided a basic introduction to the idea of governance of trail systems. Next, we present some comments on governance systems or models and provide some additional examples in Oregon and elsewhere.

Lead State Agency or Multiple State Agency Model

The most common governance system used in the Hall of Fame trails is a lead government agency (and mostly a state agency) model. This model is characterized by a state, county, or city agency—usually the Parks Department—being the owner and manager of the trail system. Usually, there is some sort of Friends group who assists and supports the trail.

A number of interviewees in the Assessment phase of this engagement expressed a preference for a single state agency to serve as the “lead agency” for purposes of serving as the fiscal agent, accepting long-term “ownership” or leaseholder interest in the project, providing the status that only a state or federal agency can convey for recognition and marketing purposes, and also managing or operating the trail on a daily basis. The Oregon Parks and Recreation Department (OPRD) was most often mentioned as the logical state agency for this purpose even after

considering the fiscal and capacity constraints that were often cited concerning the department’s capacity to accept a project of this magnitude.

In Oregon, there are three examples of this model:

a. Example 1. OPRD as the Lead Agency.

While much shorter in length and less complex in terms of potential jurisdictional and geographical challenges, the Banks-Vernonia Trail is owned by and managed by OPRD. OPRD owns and manages a number of trail systems around the state. The Department was frequently cited as a model for consideration here. Note that OPRD also performs all of the typical daily management functions of operating a trail system. Friends of Stub Stewart Park and Banks Vernonia Trail help with a number of support tasks.

b. Example 2. OPRD as the Lead Agency.

The OC&E Woods Line State Trail²¹ is Oregon’s longest linear park. This 100-mile trail is built on the old railbed of the Oregon, California, and Eastern Railroad (OC&E). The trail, which is open to all non-motorized recreation, begins in the heart of Klamath Falls, and extends east to Bly and north to the Sycan Marsh. There is a Friends Group which helps support the trail. The logging railroad right-of-way was rail banked in 1992 to OPRD. Only eight miles of the trail are paved.

c. Example 3. Historic Columbia River Scenic Highway.

In 1987, the Oregon Legislature passed a bill which became ORS 366.550, creating the Historic Columbia River Scenic Highway. This highway right-of-way is now home to an expanding multi-use trail system. Section 366.552 establishes a partnership between ODOT

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http://www.oregonstateparks.org/index.cfm?do=main.loadFile&load=siteFiles/publications/oce_woodsline.pdf

and OPRD to construct and manage this trail system, with OPRD charged with management.

366.552 Historic road program for Historic Columbia River Highway; footpaths and bicycle trails; acquisition of property; cooperation with other agencies.

(1) The Department of Transportation and the State Parks and Recreation Department shall prepare and manage a historic road program, in consultation with the Historic Columbia River Highway Advisory Committee and other affected entities, consistent with the purposes of the Columbia River Gorge National Scenic Area Act of 1986 and the public policy of this state declared in ORS 366.551.

(2) The departments shall inform the advisory committee of those activities of the departments which may affect the continuity, historic integrity and scenic qualities of the Historic Columbia River Highway.

(3) The departments shall undertake efforts to rehabilitate, restore, maintain and preserve all intact and usable segments of the Historic Columbia River Highway and associated state parks. The Department of Transportation may expend funds dedicated for footpaths and bicycle trails under ORS 366.514 to construct footpaths and bicycle trails on those portions of the Historic Columbia River Highway that are parts of the state highway system or that are county roads or city streets and the State Parks and Recreation Department may incorporate those segments

into the Oregon recreation trails system under the provisions of ORS 390.950 to 390.989 and 390.995 (2).

(4) The departments may acquire real property, or any right or interest therein, deemed necessary for the preservation of historic, scenic or recreation qualities of the Historic Columbia River Highway, for the connection of intact and usable segments, or for the development and maintenance of parks along or in close proximity to the highway. The departments shall encourage the acquisition of lands, or interests in lands, by donation, agreement, exchange or purchase.

(5) The departments shall assist and cooperate with other agencies and political subdivisions of the state, state agencies, the federal government, special purpose districts, railroads, public and private organizations and individuals to the extent necessary to carry out the provisions of ORS 366.550 to 366.553. The departments may enter into such contracts as are necessary to carry out these provisions. [1987 c.382 §3; 1989 c.904 §37]

In terms of governance, Section 366.553 establishes a 10-member advisory committee to advise the Director of ODOT and the Oregon Transportation Commission on policy matters pertaining to the preservation and restoration of the Historic Columbia River Highway. The committee is required to meet a minimum of four times a year. OPRD is responsible for management of the HCRH State Trail.

In the case of the Salmonberry Trail, similar legislative authority could be sought by the

coalition members, and an advisory committee could be created to advise the state agencies involved in a multi-agency model.

Lead County or City Agency Model

As noted in the Table, some rail-trails are constructed and managed by a county or a city and usually within their Department of Parks and Recreation. We mention that possibility here, but it is really not realistic for the trail in question, because of the trail's length and the fact that the corridor runs through so many different government jurisdictions. In Oregon there are numerous examples of a trail system being constructed and managed by a county or city Parks and Recreation Department. Both the cities of Eugene and the city of Portland own and manage extensive trail systems.

Example. Yamhales Westsider Trail.

Another example is the Yamhales Westsider Trail in Yamhill County. It is a 17-mile rails-to-trails route in the heart of Oregon's wine country that is currently in phased implementation and right-of-way acquisition. Once the ROW is acquired, Yamhill County will assume ownership responsibilities, but a non-profit, The Friends of the Yamhelas Westsider Trail, will support the county's efforts by supplying volunteers and financial support.²²

Special District Model

State law provides for the formation of various types of special districts for the provision of limited purpose services and the levying of property taxes and charging other necessary and appropriate fees to meet budgetary obligations. Specifically, ORS Chapter 266 provides for the formation of Parks and Recreation Districts through a petition process to the respective county/counties. The petition

²² <http://www.yamhelaswestsidertrail.com/>

would describe the district boundaries, the number of board members and method of election, and other related matters. Formation of a special district usually occurs in combination with proposing a permanent property tax levy both of which must be approved by a majority of electors within the proposed district boundaries.

Conceivably, a parks and recreation district could be formed in Tillamook and Washington Counties, or portions thereof, for the purpose of constructing and maintaining the Salmonberry Trail as well as for any other parks and recreation facilities and services that are determined by the elected district board members. Voters would have to approve formation and the property tax levy. The district would also have subsequent authority to seek general obligation bonding authority for capital improvements. In Oregon, there are numerous examples of a trail system being constructed and managed by a Special District. The Tualatin Hills Park and Recreation District is the closest example.

Nonprofit Model

The most common role for a nonprofit is as part of a coalition of stakeholders who manage some aspect of a trail system. A key role performed by a nonprofit is fundraising. Most trail systems have a nonprofit arm for purposes of attracting corporate and private funding sources for both capital and maintenance.

The Tillamook Forest Heritage Trust (TFHT) is a well-established 501(c)(3) organization that has been in existence since 1999. Its present Board of Directors and Executive Director all have keen interests in the Salmonberry Trail and they have already committed \$100,000 in planning support, fundraising development activities, and other consultant services not including their substantial amount of additional in-kind services. While less than half of the proposed trail corridor is located within the Tillamook State Forest, it is the section that provides the pivotal link between Washington County and the coast and it also contains the most

geographically challenging, yet wild and scenic, portions of the corridor. The TFHT Board is already examining its potential expanding role in the long-term future of the Salmonberry Corridor. At the very least, the TFHT could serve as the initial non-profit arm of the Salmonberry Trail governance structure for fundraising purposes. In the longer term, the TFHT might consider spinning off a dedicated Salmonberry Trail 501(c)(3) organization.

It discussions with TFHT representatives, it is clear that the nonprofit does not see themselves in an ownership and/or trail management role.

Trail systems that are either owned or managed by nonprofits are not as common as those owned and managed by a unit of government such as a state, county, or city, but there are some very successful examples around the country.

a. Example 1. The Regional Trail Corporation (RTC) ²³ is a non-profit partnership whose mission is to acquire, develop, and manage appropriate trail corridors in southwestern Pennsylvania and to create and promote opportunities for recreation, tourism, economic development, and historic and environment conservation. They are a non-profit 501 (c)(3) corporation, formed in 1991. Their first trail, The Youghiogheny River Trail North, is complete from McKeesport to Connellsville, PA, a span of 43 miles. This trail is a part of the Great Allegheny Passage. The RTC has also helped to build and maintain other exciting trails in Southwest Pennsylvania—the Five Star Trail, Coal and Coke Trail, the Westmoreland Heritage Trail and the Steel Valley Trail. The RTC is made up mostly of volunteers who donate their time researching, planning, building, maintaining, monitoring and fund-raising.

²³ From their web site at <http://www.regionaltrailcorp.com/about.html>

b. Example 2. PATH Foundation, Georgia.²⁴ Over the past 22 years, PATH has developed over 180 miles of trail throughout Georgia and has become a nationally recognized model for trail-building success. PATH's linear parks have become part of the landscape in urban and rural areas, in affluent and impoverished communities. Public support for the PATH Foundation continues to grow. With a lean and efficient administrative structure, PATH spends more than 90 percent of the donations it receives on trail building, demonstrating its ability to complete projects on schedule, under budget, while leveraging significant public funding. PATH has made significant progress toward building Georgia a network of trails, including: The Silver Comet, Stone Mountain, Lionel Hampton, South Peachtree Creek, Westside, Arabia Mountain, Chastain Park, Whetstone Creek, and South River Trails.

c. Example 3. Iowa Natural Heritage Foundation. ²⁵ The Iowa Natural Heritage Foundation has been a leader in Iowa trails since 1980. In 2010, they assisted partners on 24 Iowa trails — some in the early planning stages, some in process and some now complete. Unlike surrounding states, Iowa's multi-county trails are managed by local rather than statewide agencies. These local groups often rely on INHF for technical expertise and statewide perspective. Their first trail projects (the Heritage Trail and Cedar Valley Nature Trail) began 30 years ago. Since then, INHF has helped partners create nearly 600 of Iowa's 1,000 miles of rail-trails. INHF's role on a given trail can range from minor (providing technical advice) to extensive (acquiring the trail corridor, marketing and promotion,

²⁴ From their web site at <http://pathfoundation.org/about/>

²⁵ <http://www.inhf.org/inhf-role-in-trails.cfm>

education, and/or fundraising). They are also a partner in statewide trail planning and a lead promoter of Iowa trails, whether through their popular Iowa by Trail website or current efforts to position Iowa as "the world capital of trails."

The Olympic Discovery Trail, managed primarily by the Peninsula Trails Coalition and profiled on page 8 above, is another example of a strong nonprofit with a lead role in trail construction and management.

Intergovernmental Coalition Model

ORS Chapter 190 provides for the formation of intergovernmental cooperative agreements between local governments (ORS 190.010) and between local governments and state agencies (ORS 190.110). Essentially, these agreements create the authority and form the basis for the conduct of most governmental purposes equivalent to that of the authority and purpose of the individual entities that are a party to the agreement. There are numerous examples of ORS 190 organizations throughout the state including councils of governments, economic development organizations, public safety organizations, and various joint operating authorities.

A single 190 agreement could be crafted covering the entire 86-mile corridor as well as lay out the specific responsibilities of each of the sub-regions. Alternatively, 190 agreements could be individually crafted for each of the three identified segments of the trail as well as constructing a separate 190 agreement for the Governing Council/Policy Board that coordinates the activities of the regional organizations.

Finally, a group of public agencies could use an intergovernmental agreement under ORS 190.010 paragraph (5) to create a new governmental entity, governed by a Board or Commission to deliver a service to the public. If desired, this Board or

Commission can include nonprofit and private stakeholders.²⁶

This type of intergovernmental coalition structure is similar to what has been represented by the governing diagram concept that was previously prepared by the Core Leadership Team and shared with participants during our interview process. That concept envisions the creation of three local governing boards for each of the three major segments of the corridor and a "Salmonberry Coalition Governing Council" for providing general direction, coordinating activities, determining project priorities, branding, and making necessary policy decisions.

During our interviews, participants offered a number of suggestions for how this model might work; however, we should also note that a number of interviewees continued to express preference for a single lead agency model (again, OPRD was most often mentioned). Still, a few interesting ideas for a collaborative model emerged that would involve a separate lead agency for each of the three segments. Those lead agencies would then collaborate through the creation of a Governance Council similar to that of the concept diagram.

The potential lead agencies and justification for the three segments are as follows:

- a. Timber to Manning:** OPRD could serve as the logical lead agency for this segment based on the absence of any other recreation service provider in western Washington County and the fact that OPRD already manages the connecting Banks to Vernonia Trail and Stub Stewart State Park.
- b. Enright to Timber:** The Oregon Department of Forestry or the Tillamook Forest Heritage Trust (or a spin-off nonprofit) are logical candidates for serving as

²⁶ ORS 190.010(5).

lead organizations for this segment which has a strong relationship to the Tillamook State Forest and could connect to a number of other trails within the Tillamook Forest. In addition, there will be a need to balance a number of competing recreational and environmental interests within this section of the corridor which ODF and the Trust are best equipped to manage.

c. Port to Enright: The coastal section may be the most complex system to manage due to the number of political jurisdictions involved, the presence of the Scenic Railroad operation and the future of their lease, the condition of Hwy. 101 and safety concerns for pedestrians, bicyclists, and motorists, and the potential need to construct improvements in environmentally sensitive estuaries and other areas. A potential lead agency for this segment given these complexities is ODOT based on the multi-modal nature of this section and ODOT's expertise in managing multi-modal challenges involving jurisdictional coordination. In addition, ODOT manages the Oregon Coast Bike Route with signage and support materials. Improving the safety and overall experience for bicyclists in this problematic section of Tillamook County would be a logical objective for the department. Alternative lead agencies for this section include OPRD, due to their operational history on the coast and the need to provide improved hiker and bicyclist connections to nearby state parks, and the Port of Tillamook Bay due to their ownership of the ROW and present expectation that their lease with the Scenic Railroad will be extended into the foreseeable future. Given the complexities of this section, it might also be desirable to create an intergovernmental agreement among the local government agencies

(county, cities and ports) to provide support to the chosen lead agency.

In the profile section above, we provide information on two trails in Oregon that are true intergovernmental models: the Bear Creek Greenway trail in the Medford area and the Springwater Corridor Trail in the Portland metropolitan area; however, the intergovernmental model is found throughout the country.

Hybrid or Collaborative Structure

A governance model that incorporates elements from some or all of the above descriptions is a common structure used elsewhere and could be developed to construct and operate the Salmonberry Trail. For example, it could be determined that the creation of 190 intergovernmental agreements makes the most sense for basic operational purposes while also using a state agency (OPRD) as the "parent or lead" organization and the Tillamook Forest Heritage Trust or its spin-off trust as the non-profit arm for purposes of fund-raising. Other groups could form to handle volunteer recruitment, stewardship activities, and minor maintenance. A good example is the Virginia Creeper Trail described on page 6.

For a number of reasons, it seems to make sense to focus additional attention on some sort of Hybrid or Collaborative structure for the Salmonberry Trail:

- a. A collaborative approach was used by ODF, OPRD, the Port, and Cycle Oregon to begin the feasibility phase and fund the Concept Plan.
- b. The Salmonberry Coalition, used to help develop the Concept Plan, was a collaborative effort of numerous public, nonprofit, and private stakeholders.

c. We do not believe there is a need to form a new unit of local government (a special district, for example), when there are already seven cities, two counties, and a Port District all interested in the project. The only exception would be a decision by one or both counties to seek formation a parks and recreation special district for the support of a broader range of parks and recreation services that might also include the Salmonberry Trail. This could make particular sense at some point for Tillamook County given other recreation support needs mentioned during our interviews.

d. The significant size of the project would seem to suggest that no single existing entity (like one state agency, one county, a Port District, or a Parks and Recreation District) can take on this size project and effectively finance and manage it.

e. In Oregon, the intergovernmental approach using ORS 190 is created through written agreements between the parties and can be as flexible as desired. The agreements can be shaped to fit exactly what the members believe is important in their unique situation. Oregon law under Chapter 190 is not at all prescriptive in its requirements.

As described above, there are a wide variety of governance structures employed by similar trail entities to those involved in the Salmonberry Trails. A key factor is how the structure fits the situation—how it is designed and works is partially dependent upon the particular circumstances and environment that exists. Put another way, given the unique situation and environment associated with the Salmonberry Trail, how should groups of people be organized to effectively accomplish all of the trail-related tasks and responsibilities?

Common Trail Responsibilities and Tasks

As we reviewed the governance structures used by other trail systems, it became clear that there are some common tasks that need to be accomplished when managing a trail system. We found three different sets of tasks:

a. Ownership/Leadership Tasks. These are owner-related tasks and tasks related to accomplishing the vision of full trail completion and delivering an effective, quality service to the public. They can best be defined as policy tasks, as opposed to day-to-day operations of the trail system.

b. Management/Operational Tasks. These are tasks associated with the day-to-day operations of the trail and include everything from budget management to managing the staff delivering trail-related services, planning and implementing capital projects, doing trail maintenance, and addressing issues such as vegetation control, litter pick-up, trail patrols, etc.

c. Support Tasks. These tasks are ones that are often accomplished by a dedicated support group of volunteers—a Friends Group—such as fundraising, planning and conducting special events, working with and coordinating volunteers, performing light trail maintenance, promoting the trail as a benefit to local businesses, and so forth. The role of a support group can be relatively minor or it can be extensive.

What we found was that these three sets of tasks can be assigned to any number of different groups, or combined into one or just a few groups. Perhaps it would help to provide some typical tasks arranged by the three categories above.

Ownership/Leadership Tasks

- a. Adopt/approve/accept the Concept Plan that sets the overall direction for developing the trail corridor
- b. Ensure that the former railroad ROW is protected and reserved for the perpetual use of the public (including the use of “Railbanking” as a means to accomplish this even though that technically would allow the unlikely re-establishment of a future commercial rail use)
- c. Adopt a budget which sets priorities for spending on the project
- d. Establish policies and procedures for trail users over the entire corridor that emphasize safety and enjoyment for users
- e. Provide general funds for trail planning and trail development either by ownership or for the entire corridor
- f. Provide financing for a project manager for an initial period of time
- g. Provide liability insurance for owners and support groups and their volunteers
- h. Actively pursue grant funding sources that are unique to owners and key stakeholders to further trail development and management
- i. Prioritize development projects and major maintenance activities within the trail corridor
- j. Ensure that the trail is developed and managed consistent with adopted plans
- k. Actively pursue and promote public/private partnerships and facilitate cooperation between governmental agencies in developing, constructing, and maintaining the trail system
- l. Study and adopt uniform standards for the design and construction of

the trail system, including signage standards

- m. Develop, or cause to be developed, a set of comprehensive action plans, to include:
 - i. a fundraising plan that will identify and secure funding for staff, operations, programs, and projects, to include appropriate endowment funds;
 - ii. a public engagement plan to involve stakeholders and adjoining property owners in the development and operation of the trail corridor;
 - iii. a public relations/marketing information program to increase use of the trail corridor and maximize its economic development and recreational use
- n. Create advisory committees as needed and consider all recommendations made by advisory committees
- o. Hold an annual meeting—a State of the Trail gathering—to keep all trail stakeholders informed about progress in fulfilling the vision for the trail

Management/Operational Tasks

- a. Effectively manage an annual budget for the trail that includes operations and capital projects
- b. Hire or contract for staff support to effectively manage the trail
- c. Plan and undertake trail development capital projects and major maintenance projects to implement the Concept Plan



- d. Manage conflicts between trail uses within the trail right-of-way
- e. Undertake technical studies as necessary to support project development and implementation
- f. Establish policies and procedures that assure problem solving, communication, and coordination with governmental agencies and private property owners adjoining the trail corridor
- g. Provide technical staff as appropriate to assist in the development and maintenance of the trail
- h. Collaborate with governmental agencies, nonprofits, and private parties to implement the Concept Plan and manage the trail system
- i. Review governmental agencies' ordinances, rules, standards, and regulations and recommend additions or changes in conformance with the adopted Concept Plans and any subsequent planning documents
- j. Make recommendations to governing bodies and agencies relative to desirable federal, state, and local policies and funding concerning the trail corridor
- k. Focus on the local community, identify trail interests and needs, and make suggestions for action to the Ownership/Leadership Group
- l. Monitor progress to fully implement the Concept Plan, discuss issues related to that progress, and advise the Ownership/Leadership Group as appropriate
- m. Facilitate the connection of the Salmonberry Trail to other area trails within the region
- n. Prepare and submit an annual report which includes a review of the prior year's activities and a

statement of goals and objectives for the coming year

Trail Support Tasks

- a. Coordinate volunteers who provide trail operations services such as light trail maintenance, fee collection services, litter pick-up, safety patrols, and help with special events
- b. Assist in the implementation of the corridor's public relations and marketing plan and the trail's public engagement plan
- c. Assist the trail's fundraising support group with their fundraising activities
- d. Plan and conduct special events on the trail system
- e. Look for opportunities to increase the economic development potential of the trail corridor to include support for businesses that benefit from the trail
- f. Act as a community advocate for the trail
- g. Facilitate communications among all stakeholders and users through newsletters, social media, website development, meetings, and other techniques
- h. Provide advice on logistical issues including development of projects within the trail right-of-way, signage, trail-head development, parking, public safety issues, and the sharing of responsibilities associated with operations and maintenance

As mentioned earlier, the way in which groups divide up these tasks is the way that governance gets defined for a trail system.

Specific Governance Options for the Salmonberry Trail

Given what we have learned in the Assessment phase after interviewing nearly 40 individuals who are part of stakeholder groups, and given the reviews of trail governance structures elsewhere in the country, and given the unique segment environment of the Salmonberry Trail, what are the reasonable options for governance? The best way to answer this question is with another question: Given what we know, who should be the primary responsible party for each of the three sets of tasks—Ownership/Leadership Tasks; Management/Operational Tasks; and Trail Support Tasks?

Who Should be the Responsible Party for Ownership/Leadership Tasks?

Option 1.0 A lead public agency or agencies perform(s) Ownership/Leadership tasks. Three possibilities:

Option 1.1 OPRD is the lead state agency and the Salmonberry Trail becomes a linear state park. (Example: Banks-Vernonia Trail. A variation of this is that the POTB and OPRD share duties within a portion of the Coastal Segment.)

Option 1.2 OPRD/ODF/ODOT act through an intergovernmental agreement or MOU as a combined entity for the entire trail (Example: Historic Columbia River Highway and adding ODF. (Again, a variation would be to add POTB for some duties within the Coastal Segment.)

Option 1.3 Separate lead agencies assume ownership/leadership responsibilities for each of the three segments of the trail (such as OPRD for the foothills segment, ODF for the canyon segment, and ODOT and/or OPRD (or POTB) for the Coastal Segment. An IGA or MOU between the

three agencies assures overall coordination of efforts.

Option 2.0. An intergovernmental collaboration performs Ownership/Leadership tasks. Three possibilities here also:

Option 2.1. Create a partnership and form a Policy Team among four key government partners: POTB/OPRD/ODF/ODOT and add ex-officio members as appropriate.

Option 2.2 Create a partnership and form a Policy Team among the government agencies involved thus far: ODF; OPRD; ODOT; POTB; Tillamook County; Washington County; and Metro. Add ex-officio members as appropriate, such as Cycle Oregon and the TFHT.

Option 2.3 Create separate intergovernmental collaborative structures for each of the three segments of the trail based on the primary jurisdictional interests of the entities in each segment. For example the Foothills Segment might include a collaborative agreement between Washington County, OPRD, and ODF whereas the Coastal Segment intergovernmental agreement might be comprised of each of the local government entities (county, cities and ports) along with ODOT and OPRD. The Canyon Segment might only include a collaboration between ODF and the Tillamook Forest Heritage Trust. Under this option, the three segments would be coordinated through a similar collaborative partnership as described under Options 2.1 or 2.2.

Option 3.0. A hybrid structure performs Ownership/Leadership tasks. Create a partnership and form a Policy Team among nine key partners: ODF; OPRD; ODOT; POTB; Tillamook County; Washington County; Cycle Oregon; Tillamook Forest Heritage Trust; Metro and add ex-officio members as appropriate. A variation would be a

lesser number if one of the nine decided that they wanted to participate as a supporting partner, rather than be on the Policy Team, such as ODOT. The Policy Team would be created through intergovernmental agreement among the government agencies and then a separate agreement would add the non-government members. Another hybrid structure would include separate Ownership/Leadership tasks for each segment as described under Option 2.3 above but with the possible addition of other NGO partners.

Who Should be the Responsible Party for Management/Operational Tasks?

Option 4.0 A lead state agency or agencies perform(s) all Management/Operational tasks.

Option 4.1 The lead state agency is OPRD and the Salmonberry Trail becomes a linear state park.

Option 4.2 There are two lead state agencies: OPRD for the Foothills Segment and the Coastal Segment and ODF for the Canyon Segment.

Option 4.3 There are three lead state agencies: OPRD for the Foothills Segment; ODF for the Canyon Segment; and ODOT for the Coastal Segment. The three lead agencies would coordinate their work through an MOU and through the Leadership Group.

Option 5.0 A nonprofit corporation performs all Management/Operational tasks. Establish a new nonprofit, or use an existing nonprofit, to take on all management/operational tasks associated with the trail. The Policy Team would provide a budget allocation for an initial start-up period. The nonprofit could include designated Board positions for a select number of Policy Team members, with the balance of positions to stakeholder groups and interested citizens or users. The nonprofit Board could hire the Executive Director using funds

contributed by partners in the newest draft MOU being discussed.

Option 6.0 An intergovernmental collaboration performs all Management/Operational Tasks.

Option 6.1 Policy Team Option 2.1. POTB/OPRD/ODF/ODOT Policy Team would also be responsible for all of the management and operational tasks. An IGA would guide their partnership and divide-up the management/operational tasks among them. ODOT could simply support the effort rather than be on the Policy Team.

Option 6.2 Policy Team in Option 2.2. ODF; OPRD; ODOT; POTB; Tillamook County; Washington County; and Metro Policy Team would also be responsible for all of management and operational tasks. The partners would decide how to divide up the Management/Operational Tasks among them based on skills, capabilities, and willingness. For example: the overall fiscal agent could be TFHT, all human resources functions for hiring and supervising staff could be provided by Tillamook County; capital projects planning and implementation could be provided by ODOT in the Coastal Segment; ODF in the Canyon Segment; and OPRD in the Foothills Segment; etc. A Technical Committee of local government staff in the Coastal Segment could be formed to guide trail development through the six cities and the county and to coordinate major trail projects.

Option 7.0 Hybrid Structure. Management/Operational Tasks are divided between a state agency or state agencies and a nonprofit. Example: OPRD takes the lead state agency role only for conducting capital construction projects (major new construction and major maintenance projects). A nonprofit is formed and is the responsible party for all other

Management/Operational Tasks. There are other variations of this Hybrid Model. For example, ODF could be the responsible party for quite a few of the Management/Operational Tasks in the first few years while the trail is still more primitive and similar to other trails in the Tillamook State Forest.

Who Should be the Responsible Party for Trail Support Tasks?

Option 8.0 Lead State Agency. OPRD could perform trail operations support tasks as they do for other trails in the state. A Friends group could help with some tasks.

Option 9.0 Nonprofit.²⁷

Option 9.1 The nonprofit entity chosen to undertake the management/operational aspects could also provide Trail Operations Support Tasks over the entire trail corridor.

Option 9.2 Form Support Associations for the Coastal Segment, Canyon Segment, and Foothills Segment. The basic structure of the Support Associations would be established by the Policy Team so there is some consistency, but the three groups would then provide support in whatever manner was appropriate for that particular segment. For example: the Coastal Trail Association may want a substantial level of support for the tourism industry's connection to the trail; while the Canyon Trail Association may emphasize kayak use, hunting, fishing, and primitive hiking; the Foothills Trail Association may advocate for projects that provide a better connection to metropolitan area trails. All three Support Associations would take on volunteer coordination and light maintenance duties.

²⁷ It is assumed that the Tillamook Forest Heritage Trust will be the fundraiser for the project; therefore, we don't provide a separate option for fundraising groups. This role could change over time.

Option 10.0 Hybrid Structure. The trail operations support tasks could be divided among multiple parties as determined appropriate. Any number of combinations could be possible. For example, a lead state agency like OPRD could provide support tasks for the Foothills Section, while Support Associations are formed for the two other segments.

Combining the Options

Now, the challenge is to combine Options that seem most reasonable for the Salmonberry Trail, its multiple stakeholders, and the overall environment. You may wish to think about the following decision criteria:

- a. Think about the research from other successful trail systems across the country.
- b. Focus on the tasks that need to be accomplished and who can best do them.
- c. Reflect on your knowledge of the stakeholder groups and people who are a part of them.
- d. Consider the potential for the future—who seems willing and able to be a responsible party?
- e. Which groups and individuals are likely to be enthusiastic champions for the project?
- f. Which structure is most likely to be nimble, effective, pragmatic, and strategic to accomplish a complex project such as this?
- g. What structure is likely to generate the financial resources—from all available sources—to implement a full build-out of the project and also pay for the reasonable operational expenses?

Consider the above factors (and others you may have thought of) and then:

- a. Choose one Option from the Leadership/Ownership Tasks section;
- b. Then choose one Option from the Management/Operational Tasks section, and finally;
- c. Choose one Option from the Trail Support Tasks.

Below are six examples we have designed to get you thinking:

Example 1. Lead State Agency with Trail Support Associations.

- a. Leadership/Ownership Tasks. Option 1.1. OPRD would be the lead state agency.
- b. Management/Operational Tasks. Option 3.1. OPRD would be the lead state agency and undertake all management and operational tasks.
- c. Trail Support Tasks. Option 9.3. Three Trail Support Associations are formed—one each in the Coastal, Canyon, and Foothills Segments, created under guidelines proposed by OPRD. Their role may be different in each of the segment areas.

This example is essentially a linear state park with a Friends Group.

Example 2. Intergovernmental Policy Team, Nonprofit Management and Support

- a. Leadership/Ownership Tasks. Option 2.1. POTB/OPRD/ODF/ODOT enter into an intergovernmental agreement and take on all Ownership/Leadership tasks. A Policy Team is created.

b. Management/Operational Tasks. Option 5.0. Three nonprofit corporations are formed to undertake all Management/Operational as follows: Coastal Segment, Canyon Segment, and Foothills Segment. The three lead agencies would coordinate their work through an MOU and through the Policy Team.

c. Trail Support Tasks. Option 9.3. The three nonprofit corporations would also each provide the Trail Support Tasks in addition to the Management/Operational Tasks. Each of the three lead state agencies assign themselves a segment area and works closely with the nonprofit in their area.

This Example is similar to the governance structure suggested as part of the Concept Plan discussions.

Example 3. Intergovernmental Policy Team as Coordinator, Intergovernmental Policy Team for Ownership/Leadership; Nonprofit does Management and Support Tasks

- a1. Coordination Role Like Option 2.1. POTB/OPRD/ODF/ODOT enter into an intergovernmental agreement and take a coordinating role for the overall trail corridor. An IGA or MOU is drafted to define and guide this coordination effort.
- a2. Leadership/Ownership Tasks. Option 2.3. Create separate intergovernmental collaborative structures for each of the three segments of the trail based on the primary jurisdictional interests of the entities in each segment. For example the Foothills Segment might include a collaborative agreement between Washington County, OPRD, and ODF whereas the Coastal Segment intergovernmental agreement might be comprised of each of the local government entities (county, cities and ports) along with

ODOT and OPRD. The Canyon Segment might only include a collaboration between ODF and the Tillamook Forest Heritage Trust.

b. Management/Operational Tasks. Option 5.0. Three nonprofit corporations are formed to undertake all Management/Operational as follows: Coastal Segment, Canyon Segment, and Foothills Segment. The three lead agencies would coordinate their work through an MOU and through the Policy Team.

c. Trail Support Tasks. Option 9.3. The three nonprofit corporations would also each provide the Trail Support Tasks in addition to the Management/Operational Tasks.

Example 4. Collaborative Policy Team, Intergovernmental Management, with Trail Support Associations.

a. Leadership/Ownership Tasks. Option 3.0. An intergovernmental agreement is negotiated between the government agencies (with a separate agreement to add key nonprofit members) and a Policy Team is formed among the partners (ODF; OPRD; ODOT; POTB; Tillamook County; Washington County; Cycle Oregon; Tillamook Forest Heritage Trust; Metro and add ex-officio members as appropriate.)

b. Management/Operational Tasks. Option 6.2. Management/Operational Tasks for the trail are divided among the nine agencies as their skills and willingness dictate.

c. Trail Support Tasks. Option 9.3. Three Trail Support Associations are formed as stakeholders along the trail show enthusiasm for taking on considerable volunteer work.

Example 5. Collaborative Policy Team, Nonprofit Management, with Trail Support Associations.

a. Leadership/Ownership Tasks. Option 3.0. An intergovernmental agreement is negotiated between government agencies and a Policy Team is created among nine key partners (ODF; OPRD; ODOT; POTB; Tillamook County; Washington County; Cycle Oregon; Tillamook Forest Heritage Trust; Metro and add ex-officio members as appropriate.)

b. Management/Operational Tasks. Option 5.0. A new nonprofit is formed to undertake all management/operational tasks on the trail. An existing nonprofit could also step-up and take on a new challenge of trail management and operations.

c. Trail Support Tasks. Option 9.3. Three Trail Support Associations are formed as stakeholders along the trail show enthusiasm for taking on considerable volunteer work.

Example 6. Hybrid Collaborative Structure.

a. Leadership/Ownership Tasks. Option 3.0. An intergovernmental agreement is negotiated between the government agencies (with a separate agreement to add key nonprofit members) and a Policy Team is formed among the partners (ODF; OPRD; ODOT; POTB; Tillamook County; Washington County; Cycle Oregon; Tillamook Forest Heritage Trust; Metro and add ex-officio members as appropriate.)

b. Management/Operational Tasks. Option 7.0. OPRD agrees to plan and implement all major capital projects (new construction and major maintenance) over the entire corridor using grant funds and funds raised by the TFHT. Most of the

Management/Operational Tasks are addressed by a new nonprofit corporation that is formed in a manner that would maximize its effectiveness. The nonprofit could include designated Board positions for a select number of Policy Team members, with the balance of positions to stakeholder groups and interested citizens or users. The nonprofit Board could hire the Executive Director using funds contributed by partners in the newest draft MOU being discussed.²⁸ The Executive Director would be the project manager who would also provide staff support to the Support Associations.

c. Trail Support Tasks. Option 10.0. The basic structure of the Support Associations would be established by the Policy Team so there is some consistency, but the three groups would then provide all Support Tasks plus have an emphasis particular to that Segment. They could form themselves as nonprofits under state and federal law or simply be Support Association groups. For example: the Coastal Trail Association would perform all Support Tasks, but also place an emphasis on a substantial level of support for the coastal tourism industry's connection to the trail; the Canyon Trail Association may emphasize kayak use, hunting, fishing, and primitive hiking; the Foothills Association may advocate for and place an emphasis on projects that provide a better connection to metropolitan area trails.

A Decision-Making Process

In order to assist with the decision-making process, you may wish to review the matrix at Attachment 1 and place a check-mark or X in the box that best meets your decision criteria. A group discussion of

²⁸ Alternatively, the Project Manager could be an OPRD employee on loan to work with the nonprofit.

choices will be helpful. As stated a few pages ago, you need to consider a number of questions as you make your choices:

- a. What did you learn from reviewing the governance structures from other successful trail systems across the country?
- b. What trail-related tasks need to be accomplished and who can best do them?
- c. What stakeholder groups are interested in the Salmonberry Trail corridor and how can they be helpful?
- d. Consider the potential for the future—who seems willing and able to be a responsible party to construct, manage, and support trail each set of trail tasks?
- e. Which groups and individuals are likely to be enthusiastic champions for the project?
- f. Which structure is most likely to be nimble, effective, pragmatic, and strategic to accomplish a complex project such as this?
- g. What structure is likely to generate the financial resources—from all available sources—to implement a full build-out of the project and also pay for the reasonable operational expenses?
- h. Is this the final selection of a governance structure, or will you move forward with the understanding that a subsequent change may be made once more time passes and experience is gained?

Addressing the Need for Staff Support

A Technical Advisory Committee or TAC could be useful in any of the governance structures selected. The TAC could be comprised as listed below and would function primarily to advise the Policy Board on governance matters as well as technical issues such as design standards, maintenance needs, capital construction priorities, marketing, resource identification, etc.

Staff from each of the Policy Board member's agency

- a. Corridor Project Manager
- b. ODF Staff
- c. OPRD staff
- d. ODOT staff
- e. Metro staff
- f. Port of Tillamook Bay Port Manager
- g. Tillamook County staff (Parks?)
- h. Washington County staff (Parks?)
- i. Cycle Oregon – Executive Director
- j. Tillamook Forest Heritage Trust – Executive Director
- k. The Business Manager of the Oregon Coast Scenic Railroad
- l. Other staff members from support organizations as appointed by the Policy Board when such appointments can add value through in-kind support (for example, Northwest Trails Alliance, Bicycle Transportation Alliance, Port of Garibaldi, and others)

A Way to Keep All Stakeholders Involved

Regardless of the governance structure you choose, we would also suggest you consider a mechanism to keep the many stakeholders involved. While conducting interviews with stakeholders, it became very clear that many groups and individuals want to stay involved and want to help. Not all can be a part of the Policy

Team, but there should be some sort of way to stay involved. One mechanism could be the formation of the Salmonberry Trail Coalition. It could look like this:

Salmonberry Trail Coalition. The Policy Team would identify Salmonberry Trail stakeholders and invite each to designate an individual to be a member on the Salmonberry Coalition. This is a similar group that helped develop the Salmonberry Concept Plan. The Coalition would meet once a year for the annual meeting of the Policy Board. The purpose of the Coalition is to keep everyone informed, allow the Policy Board to touch base with everyone, to present big issues to members, provide status reports and generally to keep communication open with the large and varied group of stakeholders interested in the Trail. The annual meeting would be a time to celebrate your successes.

Attachment 1

Responsible Party for Ownership/Leadership Tasks	
Option 1.1 Lead State Agency - OPRD (Example: Banks-Vernonia Trail; need to negotiate a use agreement/lease with POTB).	
Option 1.2 Lead State Agencies - OPRD/ODF/ODOT (Example: ODOT and OPRD for Historic Columbia River Highway; need to negotiate a use agreement/lease with POTB).	
Option 2.1 Intergovernmental Collaboration – Create a Policy Team among four key partners: OTB/OPRD/ODF/ODOT and add ex-officio members as appropriate.	
Option 2.2 Create a Policy Team among the government agencies involved thus far: ODF; OPRD; ODOT; POTB; Tillamook County; Washington County; and Metro. Add ex-officio members as appropriate, such as Cycle Oregon and the TFHT.	
Option 2.3 Create separate intergovernmental collaborative structures for each of the three segments of the trail based on the primary jurisdictional interests of the entities in each segment. For example the Foothills Segment might include a collaborative agreement between Washington County, OPRD, and ODF whereas the Coastal Segment intergovernmental agreement might be comprised of each of the local government entities (county, cities and ports) along with ODOT and OPRD. The Canyon Segment might only include a collaboration between ODF and the Tillamook Forest Heritage Trust. Under this option, the three segments would be <u>coordinated</u> through a similar collaborative partnership as described under Options 2.1 or 2.2.	
Option 3.0 Hybrid Structure – Create a Leadership Core Group among 9 key partners: ODF; OPRD; ODOT; POTB; Tillamook County; Washington County; Cycle Oregon; Tillamook Forest Heritage Trust; Metro and add ex-officio members as appropriate.	
New Option	
Responsible Party for Management/Operational Tasks	
Option 4.1. The lead state agency for the whole corridor is OPRD—a linear state park.	
Option 4.2. There are two lead state agencies: OPRD for the Foothills Segment and the Coastal Segment and ODF for the Canyon Segment. The two lead agencies would coordinate their work through an MOU and through the Leadership Group.	
Option 4.3. There are three lead state agencies: OPRD for the Foothills Segment; ODF for the Canyon Segment; and ODOT for the Coastal Segment. The three lead agencies would coordinate their work through an MOU and through the Leadership Core Group.	
Option 5.0. Nonprofit. Establish New or Use Existing. Establish a new nonprofit, or use an existing nonprofit, to take on all management/operational tasks associated with the trail. The Ownership/Leadership Core Group would provide a budget allocation for an initial start-up period. The nonprofit could include designated Board positions for OPRD, ODF, Cycle Oregon, and TFHT, with the balance of positions to stakeholder groups and interested citizens or users. The nonprofit Board could hire the Executive Director using funds contributed by partners in the newest draft MOU being discussed.	

Option 6.1. Intergovernmental Collaboration. POTB/OPRD/ODF/ODOT would each be responsible for all of the management and operational tasks. An IGA would guide their partnership and divide-up the Management/Operational Tasks among them.	
Option 6.2. Intergovernmental Collaboration. ODF; OPRD; ODOT; POTB; Tillamook County; Washington County; and Metro Policy Team would also be responsible for all Management/Operational Tasks. The partners would decide how to divide up the Mgmt/Operational Tasks among them based on skills, capabilities, and willingness.	
Option 7.0 Hybrid Structure. OPRD takes the lead state agency role only for conducting capital projects (planning and implementing major new construction and major maintenance projects). A nonprofit is formed and is the responsible party for all other Management/Operational Tasks. There are other variations of this Hybrid Model. For example, ODF could be the responsible party for quite a few of the Management/Operational Tasks in the Canyon Segment for the first few years while the trail is still more primitive and similar to other trails in the Tillamook State Forest.	
New Option	
Responsible Party for Trail Support Tasks	
Option 8.0 Lead State Agency. OPRD could perform trail operations support tasks as they do for other trails in the state. A Friends group could help with some tasks.	
Option 9.1 The nonprofit entity chosen to undertake the management/operational aspects could also provide Trail Operations Support Tasks over the entire trail corridor.	
Option 9.2 Form Support Associations for Coastal Segment, Canyon Segment, and Foothills Segment. The basic structure of the Support Associations would be established by the Policy Team so there is some consistency, but the three groups would then provide support in whatever manner was appropriate for that particular segment. For example: the Coastal Trail Association may want a substantial level of support for the tourism industry's connection to the trail; while the Canyon Trail Association may emphasize kayak use, hunting, fishing, and primitive hiking; the Foothills Association may advocate for projects that provide a better connection to metropolitan area trails. All three Support Associations would take on volunteer coordination and light maintenance duties.	
Option 10.0 Hybrid. The trail operations support tasks could be divided among multiple parties as determined appropriate. Any number of combinations could be possible. For example, a lead state agency like OPRD could provide support tasks for the Foothills Section, while Support Associations are formed for the two other segments.	
New Option	