

January
2023



New England National Scenic Trail Land Protection Plan



A photograph of a rocky mountain trail. The foreground shows a path with large, dark grey rocks and some green ferns and leafy plants. In the background, a steep, rocky cliff face is visible, partially covered by green pine trees and other vegetation. The sky is bright and slightly hazy.

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CONTENTS

1. Introduction	I
1.1 Authorities	2
1.2 Purpose	2
1.3 Environmental Compliance	3
1.4 Process	3
1.5 NET LPP GIS System and Data Management	4
1.6 Proactive vs. Reactive Approaches	5
2. Purpose of the Trail and Resources to be Protected	7
2.1 Trail Purpose	7
2.2 Trail Significance and Resources to be Protected	7
2.3 Description of Planned Resource Management, Visitor Use Objectives, and Activities Directly Related to Land Protection Requirements	8
3. Land Protection Program	9
3.1 History	9
3.2 Current Status	II
3.3 Special Legislative, Administrative, or Congressional Directives or Constraints on Acquisition	12
3.4 Trail Relationships	13
3.5 External Influences on Protection Efforts	13
4. Land Ownership and Uses	14
4.1 Description of Land Interests	14
4.2 Land Use and Compatibility	15
5. Protection Alternatives	17
5.1 Applicable Federal, State, and Local Laws or Authorities	17
5.2 Description and Analysis of Reasonable Alternative Protection Methods	18
6. Recommendations	20
6.1 Acquisition Priorities	20
6.2 Federal Land Acquisitions by Fiscal Year	20
Appendices	21
Appendix A	22
Appendix B	23
Appendix C	24
Appendix D	25



I. Introduction

The New England National Scenic Trail (NET, NEEN, Trail) was established as part of the National Park Service’s (NPS) National Trails System (NTS) in 2009 as amended through P.L. 116-9, March 12, 2019, as found in United States Code, Vol. 16, Sections 1241-1251 to the National Trails System Act (NTSA), which establishes the nation’s National Scenic and Historic Trails (NSHTs). The New England National Scenic Trail is a 235-mile Trail that traverses southern New England from the Long Island Sound in Connecticut to the Massachusetts-New Hampshire border. Designated as one of the nation’s 11 National Scenic Trails in 2009, the NET consists of trails previously known as the Metacomet-Monadnock, Metacomet and Mattabesett trail systems in central Connecticut and west-central Massachusetts. More than 95% of the NET is located in the Connecticut River watershed. The NET is administered by the National Park Service and managed by the Connecticut Forest & Park Association (CFPA) in Connecticut (CT) and by the Appalachian Mountain Club (AMC) in Massachusetts (MA) in cooperation with many other partners. Each respective partner facilitates a Trail Stewardship Council (TSC) in each state. The TSC is a non-Federal Advisory Committee Act group, has only advisory powers, and provides input and feedback on the long-term management of the Trail while working as a supportive partner with CFPA and AMC.

CFPA was founded in 1895, as the first private, nonprofit, conservation organization to be established in Connecticut and maintains the 825 mile Blue-Blazed Trail System across Connecticut.

AMC was founded in 1876, and now has twelve chapters stretching throughout northeastern and northern mid-Atlantic United States. AMC fosters the protection, enjoyment, and understanding of the outdoors, and today maintains over 1,800 miles of trail, including the Massachusetts portion of the NET.

I.1 Authorities

- A. Departmental and NPS Policies for Land Protection and Relevant Legal Authorities
 - a. Dept. of Interior (DOI) policy statement published May 7, 1982 (47 F.R. 89 p. 19784-19785) ([FR-1982-05-07.pdf](#))
 - b. NPS proposed rule in the Federal Register (48 F.R. 31, p. 6676-6683) ([FR-1983-02-14.pdf](#))
 - c. National Trails System Act (P.L. 90-543, as amended through P.L. 116-111, §1, Jan. 27, 2020, 134 Stat. 8, as found in *United States Code*, Vol. 16, Sections 1241-1251) ([2019 NTSA.pdf](#))
 - d. Director's Order 2 (DO-2), Park Planning, updated 1/11/21, establishing a planning portfolio.
 - e. Director's Order 25 (DO-25), Land Acquisition, updated 2001
 - f. [Director's Order 45](#) (DO-45), National Trails System, approved 5/24/2013.
 - i. [Reference Manual 45](#) (RM-45), National Trails System, approved January, 2019.
 - g. [New England National Scenic Trail Blueprint for Management](#) (as adopted in the NTSA, amended in 2021)
- B. State level authorities and protections
 - a. Described in Section 5.1 Applicable Federal, State, and Local Laws or Authorities

I.2 Purpose

This Land Protection Plan (LPP) will address the topics identified in 47 F.R. 89 p. 19784-19785 and 48 F.R. 31, p. 6676-6683 for the remaining non-Federal lands within the authorized boundaries, commonly known as inholdings, of the Trail. This Plan has been coordinated with existing policy and management planning for the Trail.

The NET must be protected along its route to safeguard the recreational experience and national significance of the Trail. This Plan aims to identify and prioritize parcels for protection along the Trail. This Plan will also address preliminary options for potential partners and methods of acquisitions for parcels identified as priorities. As stated in the NTSA, any potential protection project will only be undertaken with a willing seller.

This Land Protection Plan does not constitute an offer to purchase land or interests in land by the National Park Service. The Plan will be used to guide Service land protection, and acquisition activities subject to the appropriation of funds by Congress and other constraints. This Plan does not in any way diminish the existing rights of non-federal landowners.

1.3 Environmental Compliance

Land Protection Plans are prepared in compliance with applicable requirements of the National Environmental Policy Act (NEPA) and other laws or administrative directives.

Specific compliance requirements for each area will depend upon the potential significance of any proposed actions. Some plans are expected to be categorically excluded from the NEPA process, others will require an environmental assessment, and some may require an environmental impact statement.

Compliance for this LPP is listed under Project 113898 in the NPS Planning, Environment & Public Comment (PEPC) system, resulting in a NEPA Categorical Exclusion and finding of No Adverse Effect for the National Historic Preservation Act (NHPA), and was completed on January 4, 2023.

1.4 Process

The process undertaken for this Land Protection Plan consisted of three main steps:

1. Develop Criteria

This step included extensive public involvement including various interviews, meetings, and workshops with local stakeholders consisting of Trail volunteers, local municipalities, land trusts, conservation non-profits, and state and federal agencies, all with a vested interest in protecting the Trail, to identify the most important criteria and values to be used in identifying and prioritizing parcels for protection. These stakeholders include the Trail Stewardship Councils established in each state. This document highlights the criteria (see sections 3.2.1 and 3.2.2) currently used as of the date of this Plan.

2. Develop Data

This step included developing an interactive GIS tool integrated with detailed geodatabases, Trail data, and parcel mapping that allows for parcel level analysis \pm 10 miles from the Trail centerline throughout each state. This data was then overlaid with various context layers to further inform the importance of the various parcels based on the criteria developed from Step 1. Example data layers include:

- i. Topography
- ii. Local Partners
- iii. Land Trust Service Areas
- iv. Climate Resilience
- v. Biodiversity

- vi. Wetlands and Hydrology
 - vii. Critical Wildlife Habitat
 - viii. EPA Environmental Justice Indicators
 - ix. State-registered Historic Places
 - x. Nearby Trailheads
 - xi. Scenic Points of Interest
3. Apply Criteria to Data

This step included the subjective and systematic application of the criteria to the dataset. The parcels were then prioritized based on the previously identified criteria. Then potential partners and methods of protection for each unprotected Trail segment were designated. The result was a standardized mapping tool that allowed the land managers, select partners, and the NPS to pursue both proactive and reactive land protection opportunities.

This was and is the most important and time-consuming step in the process and requires constant maintenance. The scope, scale, and number of parcels to be evaluated, combined with the input of local partners and stakeholders, as well as the complexity and dynamic nature of partners, funding, and acquisition pathways, results in an evaluation process that can take years.

1.5 NET LPP GIS System and Data Management

The Trail GIS systems comply with NPS Reference Manual #45 for the National Trails System sections 9.3 TRAIL DATABASES, BIBLIOGRAPHIES, AND INVENTORIES and 9.4 GIS AND OTHER AUTOMATED INFORMATION SYSTEMS. Where possible all Trail or parcel data reflects the Federal Trail Data Standards (FTDS) which were approved as the government-wide standard by the Federal Geospatial Data Committee in 2012. The current definitions and attributes of the FTDS can be found at the website [Federal Trail Data Standards — Federal Geographic Data Committee \(fgdc.gov\)](https://www.fgdc.gov). All GIS systems will adhere to the Privacy Act of 1974. Where applicable, GIS systems will also adhere to the National Park Service Data Sharing Best Practices (May 2022) and the NPS Core Spatial Data Standard (November 2022) for any sensitive data or personally identifiable information within the system. Both documents and more information about the NPS GIS, Cartography and Mapping policies and procedures can be found on the [GIS Tools and Data webpage](#).

The NET's Land Protection Plan process is largely a partner-driven endeavor. Therefore, these data and mapping tools are maintained by Trail Partners through the Trail Cooperative Agreements, with both public purpose and substantial NPS involvement.

1.5.1 Continuous Refinement

The NET Land Protection Plan is a living and working data system. It requires consistent updates and regular assessments both for data, such as landowner changes, and for evaluating if the criteria previously developed still represents the values of the current stakeholders.

Parcel scoring and application of the criteria also takes time and multiple revisions, with the data changing frequently, especially on a parcel by parcel level. Parcels themselves can have a range of complexities. Some parcels have clear preferred protection methods and partners, such as parcels that abut state protected parks and forests. Others take dedicated outreach and meetings with local experts and stakeholders concerning the parcels in question. Other protection pathways may be eliminated, accelerated, or significantly modified based on landowner changes.

The NET staff and Trail Partners will also continually evaluate with the NPS, stakeholders, and TSC's if the established criteria are still relevant and when and if it might need to be reevaluated and updated.

The spatial data within the GIS data tool will be continuously tracked and updated. The data is large, complex, and maintained through state of the art mapping tools and digital spaces that are not able to be fully represented in tables or lists within this document.

1.5.2 Data Sensitivity

While the information in these tools is predecisional and largely informative, it is delicate in the sense that the NPS and Trail Partners are aware of the potential negative public perception that an individual landowner's parcel may appear to be targeted or selected, resulting in a fear of condemnation despite the clear willing seller requirement. Therefore, sensitivity of this data also requires additional security measures which allow only certain individuals to access the tools. The outputs would, however, be available to the public via Freedom of Information Act requests. This document intends to be public facing and therefore a detailed parcel level analysis will not be shown.

1.6 Proactive vs. Reactive Approaches

Proactive pursuits: Evaluated parcels within the dataset give NET Staff and Trail Partners the ability to pursue outreach and develop relationships with landowners for key parcels identified for Land Protection. This allows NPS Staff and Trail Partners to gauge interest, refine outreach approaches and methods, and maintain consistent communication with landowners, with the opportunity to be aware of potential changes in ownership and interest.



Reactive approaches: Most often, Trail Partners are approached by landowners, real estate brokers, or other non-profit groups who are made aware of a parcel that has come up for sale. This Plan allows Staff and Partners to quickly pull data on a specific parcel, identify its importance, potential partners, and methods for acquisition, speeding up response times and increasing the chances of protecting these parcels as opportunities arise. While all NSHTs attempt both approaches to some degree, the majority of land acquisitions happen through a reactive approach.

2. Purpose of the Trail and Resources to be Protected

2.1 Trail Purpose

National Scenic Trails are trails at least 100 miles long that provide for maximum outdoor recreation potential, and for the conservation and enjoyment of nationally significant scenic, historic, natural, or cultural qualities of trail areas. Section 2 [16USC1241] of the National Trails System Act notes that “trails should be established (i) primarily, near the urban areas of the Nation, and (ii) secondarily, within scenic areas and along historic travel routes of the Nation which are often more remotely located.” The 235 mile NET meets both of the stated NTSA criteria. The NET is considered one of the most important long distance trails in New England and the most important in south-central New England. It is highly valued by communities, the states, landowners, non-profit organizations, and user groups. The NET lies in close proximity to towns and suburbs of major cities while providing a near wilderness trail user experience. Over 2 million people live within 10 miles of the Trail.

2.2 Trail Significance and Resources to be Protected

The NET traverses an outstanding variety of New England landscapes, offering Trail users a unique recreational opportunity, crossing mountain summits, forested glades, vernal pools, lakes, streams, and waterfalls, including some of the most rugged, picturesque, and diverse landscapes of southern New England. Along its route are many diverse ecosystems, natural resources, and culturally significant features. The NET hosts long vistas of rural towns, agrarian lands, extensive unfragmented forests, and large river valleys, as well as pathways through important Native American and colonial landmarks showcasing some of the best examples of classic New England landscapes that are unique in the nation. At numerous points along the trail, the NET intersects or travels near a number of points of national or regional environmental, historic or cultural importance such as: the Long Island Sound (which in 1985, Congress recognized as an Estuary of National Significance), the Silvio O. Conte National Fish and Wildlife Refuge, the Connecticut River (designated as the nation’s first and only National Blueway in 2012), the Metacomet and Mt. Holyoke Mountain Ranges, many National Historic Landmarks, National Historic Sites, National Historical Parks, state-registered Historic Districts and Properties, as well as Connecticut and Massachusetts State Forests and Parks.

2.3 Description of Planned Resource Management, Visitor Use Objectives, and Activities Directly Related to Land Protection Requirements

The primary objective, as stated in DO-25, is to preserve an extended trail, so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails pass. All land protection efforts support this objective.

Although much of the Trail use is subject to the individual landowner's discretion, the NTSA also generally prohibits the use of motorized vehicles by the general public along any National Scenic Trails, unless determined necessary for emergencies or to ensure reasonable access for adjacent landowners and land users. The primary visitor use objective therefore is its preservation and protection as a footpath.



3. Land Protection Program

3.1 History

While CFPA is a land trust and does hold an interest in over 2,000 acres in Connecticut, primarily to protect working forests and hiking trails, land protection on the NET has historically been initiated by state, municipal, and land trust partners.

The NET intersects notable state parks and forests like the Cockaponset State Forest and Millers Pond, Talcott Mountain and Penwood State Parks. The history of these protected state lands is tied to the history of the Trail as well. Some highlights of early land protection are thanks to wealthy industrialists who had the foresight to plan for large tracts of land to remain largely undeveloped and put into the public trust. Some highlights on state land include the following:

In 1944, Curtis H. Veeder gave to the citizens of Connecticut nearly 800 acres in Bloomfield in what today is the beloved Penwood State Park. Veeder, a CFPA Board member at the time, wished only that his beloved hilltop, “be kept in a natural state so that those who love nature may enjoy this property as I have enjoyed it.”

Following a period of ownership by food magnate, Gilbert Heublein (who built Heublein Tower), and the Hartford Times, 557 acres on Talcott Mountain was slated for residential development by a private corporation. Thankfully, Talcott Mountain State Park came under public ownership in 1965 through the cooperative efforts of private conservationists and the state and federal government.

Millers Pond was acquired in 1955 by the State Park and Forest Commission from the heirs of Thomas Macdonough Russell with monies provided in the trust fund of George Dudley Seymour. At that time the park consisted of 30 acres of pond and 170 acres of woodlands in the towns of Durham and Haddam. In succeeding years, the state purchased additional property, completing acquisition of all the land around the pond in 1972. Today, Millers Pond State Park is a popular destination for hiking, biking and swimming.

Municipalities have long been active in protecting parks and conservation land in their communities. Towns like Farmington, Durham and Berlin have been very successful in protecting open space for future generations. In the City of Meriden, for example, the land for Hubbard Park was given by Walter Hubbard, president of the Bradley & Hubbard Manufacturing Company. In his donation, the land was given outright, with the stipulation that everything connected with the park was to remain free of charge for the

people of Meriden, and that no concessions for profit were ever allowed within the park area. East and West Peaks, along with Castle Craig, are notable landmarks on the Trail.

Connecticut's land trust community have been trailblazers in protecting important lands that the NET now crosses. At the forefront of this effort has been the Guilford Land Conservation Trust (GLCT). Active volunteers with GLCT began buying land at Bluff Head in North Guilford, a prominent overlook on the NET, in the 1960's. Today, GLCT owns more than 870 acres in the Northwoods, including most of the area around the sheer, 500-foot traprock cliff at Bluff Head as well as the adjoining ridge of Totoket Mountain. The Land Trust has also protected other significant parcels that host the NET in Guilford like the Broomstick Ledges and Nut Plains Woods. Land Trust properties host many miles of the NET in Guilford and, without their tenacious conservation work, the connectivity and viability of the Trail would be at certain risk.

In MA, land protection along what is now the NET corridor dates back to the early 20th century. In 1920, the state's congress approved the MA Department of Conservation and Recreation's (DCR) predecessor agencies to purchase "certain tracts of land conspicuous for their scenic beauty" and lands to be managed for the purposes of forestry in two separate acts. These acts authorized the fee simple purchase of Mount Grace and Erving State Forests. More acquisitions followed in the ensuing decades, including Northfield, Shutesbury, and Wendell State Forests, and Mount Holyoke Range, Skinner, Robinson, and Mount Tom State Parks, comprising thousands of acres of protected land.

Today, 52% of the NET in MA crosses DCR lands. The earliest known acquisition by a non-profit land conservation organization along the Trail dates back to the Trustees of Reservations' fee simple purchase of Royalston Falls in 1951. Land protection efforts continue today and represent decades of state, federal, and private preservation efforts. Since the NET was designated as a National Scenic Trail, a number of previously unprotected portions of the Trail have been permanently protected in MA. Most significantly, the 1,500-acre Bear Hole Watershed in West Springfield, MA containing three miles of the NET, was protected with a Conservation Easement (called a Conservation Restriction in MA) co-held by DCR and Mass Audubon in 2021.

Since the NET's establishment in 2009, the overall mileage of the Trail has not drastically increased. However, during the designation process, 22 miles of the Trail were rerouted off private land and onto a variety of protected lands, mostly municipal and state water supply protection areas. Other more limited relocations have occurred regularly, some of which have increased or decreased the overall level of protection and length of the Trail, resulting in an overall negligible impact.

Because of the complexity of parcels the NET traverses, and the lack of an overarching dataset, any increases in protection level due to relocations or route adjustments for the first decade of the Trail's existence were relatively small and not accurately tracked or

measured. Only in the last few years was a thorough GIS program and data collection initiative pursued for overall Trail administration, management, and protection.

CFPA, recognizing these deficiencies, as well as the need for overall direction in land protection efforts, began their land protection planning in 2018, pioneering the process previously described. The values and data CFPA collected encompassed their entire Blue-Blazed Hiking Trail System, which includes the NET. Within that framework, however, CFPA identified additional partners and funding opportunities that specifically applied to the NET.

CFPA conducted various workshops with local stakeholders and contracted the development of the parcel level data. Once developed, it took CFPA approximately two years to complete the majority of their land protection evaluation in their GIS database. The NET portions were completed, but maintenance, updates, and evaluation of the data continues today.

In light of the success of CFPA's planning, AMC began a similar process in fall of 2021 focused exclusively on the NET in MA. Land protection criteria were developed in the spring and finalized in the summer of 2022. The development of a parcel level GIS data set was also contracted during this period and was completed in the fall of 2022. An interactive parcel viewer is expected to be available for partner use in winter 2023. AMC is prioritizing the scoring and evaluation step and anticipates the project to be complete by 2024.

3.2 Current Status

About 60% of the Trail mileage is protected. In CT, 56% of the Trail is protected, 67% in MA. As previously mentioned the existing protections are the result of a combination of deliberate planning, intentional relocations, partner driven opportunities, and the historical location of the Trail. This document is the culmination of the land protection processes that occurred in each state and attempts to summarize those efforts. Both CFPA and AMC continue to work diligently to update, maintain, and further evaluate parcels within the NET LPP GIS databases. Below are the established criteria for land protection for each state.

3.2.1 CT Criteria

(From An Action Plan for Conserving Connecticut Forest & Park Association's Blue-Blazed Trails)

1. Public Access
2. Resource Values Present including the natural, cultural, and scenic conservation values
3. Ability to extend a contiguous right-of-way
4. Anticipated difficulty of Trail construction
5. Vulnerability to development
6. Financial Considerations
7. Land uses on Adjoining Lands

3.2.2 MA Criteria

(From A Land Protection Strategy for the New England National Scenic Trail in Massachusetts Final Report)

1. Working with landowners
2. Protecting natural and cultural resources
3. Ensuring public access
4. Protecting the recreational experience
5. Separating the Trail from incompatible uses
6. Ensuring consistency with local, state, and national planning
7. Avoiding difficult Trail construction and maintenance

3.3 Special Legislative, Administrative, or Congressional Directives or Constraints on Acquisition

The NET has no special legislative, administrative or congressional directives outside of the NTSA authorities and directives that all National Scenic Trails have for land protection plans and planning.

The primary constraint to land acquisition for the NET, as of the date of this Plan, is a limited capacity to manage lands. The current NET base budget supports only one full time equivalent federal employee, the Trail Administrator. CFPA is a land trust, and has limited management capacity for future acquisitions. With the exception of specific focus areas in northern Maine, AMC is not a land holding organization, but is exploring the potential to manage trail easements. The NPS has capacity for easement management, but

not for full fee parcel management. In many ways easements can be more cumbersome to monitor and resolve violations than fee ownership. Therefore any easement will be thoroughly analyzed by the easement holder for potential risk of violations and include this assessment in the management evaluation. Consequently, a primary evaluation characteristic of each potential acquisition project will be which entity will manage the parcel or easement.

3.4 Trail Relationships

Trail relationships are one of the strengths of the NET. Non-profit, land trust, municipal, state, and federal partners are all committed to protecting this national treasure, many of whom were involved in the planning process in each state. Each state also has a different landscape of primary partners. In the case of both states however, land trusts and municipalities are the most active in actualizing land protection. In MA, the DCR will purchase land if it abuts an existing holding and if they can purchase in fee simple. Individual landowners along the Trail are generally supportive of the social, cultural, economic and purposes of the NET. The 40 communities intersected by the Trail recognize its importance for the health and well-being of residents, especially in population-dense locales and underserved communities. However, due to the scale and age of the Trail, and limited staff capacity, it is also difficult to establish relationships and maintain awareness of the Trail's existence both with individual landowners and larger communities. In CT and MA, Trail Partners send each private landowner a letter providing an annual report and updates, but it is not guaranteed that landowners receive or read these letters.

3.5 External Influences on Protection Efforts

The NET faces external influences on protection efforts along the entirety of the Trail corridor. Continuous development pressure, potential sales to new landowners not interested in hosting the Trail, as well as other infrastructure impediments threaten the natural and scenic qualities of the Trail. An aging landowner base increases the probability of parcel turnover or land use changes, with the potential for possible protection, acquisition, Trail relocation, or no change at all. Climate change continues to be an evolving threat to a sustainable Trail and infrastructure design, construction, and maintenance. Particularly threatened areas may influence the priority ranking and likelihood for protection. Partners are currently advocating for various federal and state legislative efforts to enhance tax incentives for landowners who host and protect the Trail. If successful, these efforts may also influence the probability of Trail protection. Changes in land use also threaten Trail protection efforts if the land use is not compatible with the nature and purpose of the NET.

4. Land Ownership and Uses

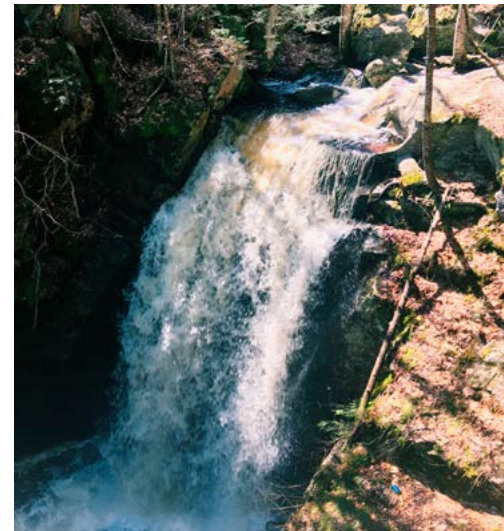
4.1 Description of Land Interests

Currently there are more than 500 landowners along the Trail corridor, approximately 250 in each state. About 60% of the Trail lies on parcels with existing protections. The Trail is organized according to numbered sections, going south to north, in each state (CT1-21, MA1-19) that have no relationship to ownership types, uses, or land protection status.

4.1.1 CT

CT contains 137 miles of the NET that passes through approximately 466 parcels.

- ◆ Protected trail length – 57% or 77.6 miles
- ◆ Unprotected trail length – 30% or 41.3 miles
- ◆ Road walk trail length – 13% or 18 miles
- ◆ Protected parcels ~ 49%
 - 32 State
 - 88 Municipal
 - 110 Land Trust / Water Authority / Easement
- ◆ Unprotected parcels ~ 51%
 - 229 Private / Corporate
 - 7 Other



4.1.2 MA

MA contains 98 miles of the NET that passes through approximately 290 parcels.

- ◆ Protected trail length – 67% or 66 miles
- ◆ Unprotected trail length – 20% or 19.2 miles
- ◆ Road walk trail length – 13% or 12.8 miles
- ◆ Protected Parcels 60.1%
 - 120 State
 - 38 Municipal
 - 5 Land Trust
 - 6 Individual / Private
 - 2 Other non-profit
- ◆ Unprotected Parcels 30.9%
 - 10 Other non-profit
 - 83 Individual / Private
 - 22 Corporate / Private
 - 4 Municipal

4.2 Land Use and Compatibility

Land use varies on each parcel according to the individual landowner and the location of the Trail and demonstrates the most compatible location currently available. Some Trail segments have been designated for Optimal Location Reviews (OLR).

Pioneered by the US Forest Service (USFS) on the Appalachian National Scenic Trail, an OLR process reviews land ownership, scenic resource values, natural and cultural resource concerns, and trail location and determines the optimal location for the Trail prior to any land protection efforts. An OLR is an analytical process that is critical for ensuring that the Trail is located in the setting that best meets the congressional intent for a National Scenic Trail, provides outstanding recreation opportunities, and promotes and protects access to the natural, scenic, historic, and cultural resources of the Trail corridor. The format is intended to engage land managers, community and stewardship partners at every level of project development and implementation. Table 1 lists the various segments designated for OLRs as well as the reason why.

Table 1: Segments identified for OLR

SEGMENT	REASON
CT-1	Enforcement issue/ trail degradation
CT-2	Significant road walk
CT-5	Significant road walk
CT-12	Significant road walk
CT-13	Significant road walk
CT-14	Significant road walk
CT-15	Significant road walk
CT-16	Significant road walk
MA-2/3	Major river crossing (Westfield River)
MA-3	Incompatible adjacent land use (pit quarry)
MA-6/7	Major river crossing (Connecticut River)
MA-10	Significant road walk
MA-12	Significant road walk
MA-14	Significant road walk
MA-15	Significant road walk

5. Protection Alternatives

5.1 Applicable Federal, State, and Local Laws or Authorities

The NET has willing seller land acquisition authority as stated in the NTSA, which also allows for donations of land to be considered as a conservation tax credit (Section 7(k)). Also, as provided for in DO-25, the National Trails Land Resources Program Center can be designated as a NSHT’s primary land acquisition support office. On January 18, 2011, a memo was signed by then Chief Washington Support Office (WASO) Land Resources Division, William D. Shaddox to assign the National Trails Land Resources Program Center to work in consultation with the NET to acquire land or interest in land. On September 9, 2022 all NPS Regional Directors signed a memo to the Associate Director, Park Planning, Facilities and Lands delegating the execution of the land acquisition program for all NPS National Trails to the Lands Chief, National Trails Land Resources Program Center in WASO, with appropriate approvals and coordination with Trail and Regional offices.

Various tracts along the NET are protected through Conservation Easements or Conservation Restrictions, or are owned and protected by state or municipal agencies, local land trusts, or other non-profits. No tracts are protected by any other special federal, state, or local laws.

In both CT and MA, various state and local level legislative protections also exist to protect the Trail, including regular inclusion in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) since 2012 in MA, and 2017 in CT.

In 2013, the CT General Assembly passed [SB 1015, AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL](#). This legislation states that, “The Department of Energy and Environmental Protection is hereby authorized by purchase, gift or otherwise to acquire such land, including, but not limited to, rights-of-way and easements for the purpose of protecting or enhancing scenic beauty, as may be deemed necessary to establish, protect and maintain the portion of the New England National Scenic Trail between Long Island Sound and the Massachusetts state line...”.

In February 1998, the General Assembly passed [PUBLIC ACT NO. 95-239, AN ACT CONCERNING PROTECTION OF RIDGELINES](#), which specifically protects the significant Connecticut traprock ridgeline that stretches north through the middle of the state. The NET travels this ridgeline for a significant distance and crosses many of the

geologic sites defined in this statute. This statute also defines a “ridgeline setback area” where development is severely constricted or not allowed. CT municipalities are required to consider this statute if a development proposal is submitted that is in close proximity to the ridgeline in their Town. Many municipalities have also passed local town ordinances that specifically protect the ridgeline as open space.

In 1995, the Connecticut General Assembly acted upon the recommendations of the Governor’s Greenways Committee and passed [Public Act 95-335](#), which institutionalized Connecticut’s Greenways program. Greenways are linear open spaces that help to conserve native landscapes and ecosystems by protecting, maintaining and restoring natural connecting corridors. In 2001, Governor John Rowland and the Connecticut Greenways Council designated the Blue-Blazed Hiking Trails and the Metacomet Ridge system as official State Greenways.

In Massachusetts, voters approved [Article 97 of the Constitution](#) in 1972, granting people the right to “clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to...conservation.” Article 97 protects protected land with a legislative ‘check’ by ensuring that lands acquired for conservation purposes are not converted to other inconsistent uses without a two thirds vote by all branches of the General Court to “dispose of” a given tract of protected land.

5.2 Description and Analysis of Reasonable Alternative Protection Methods

The NET LPP GIS systems will evaluate the following reasonable protection alternatives on a parcel by parcel basis, as well as who may be the primary party or partner to pursue that alternative. The alternative listed below may also be layered or combined either sequentially or at the same time. For example, a landowner may initially agree to a temporary Trail Use Agreement, which evolves into a permanent Trail Easement, which later could be layered with a Conservation Easement (CE/CR) to protect the full recreational experience on that tract.

5.2.1 Protection Alternatives

A brief and noncomprehensive list of protection alternatives are summarized below in Table 2. A full list of protection pathways and alternatives in Reference Manual #45, Appendix L THE PROS AND CONS FOR DIFFERENT TRAIL CORRIDOR PROTECTION STRATEGIES.

Table 2: Protection Alternatives

Alternative	Description	Pros	Cons
Trail Use Agreement	Formalized handshake agreements with the current landowner that allow the Trail to traverse a property, can be limited to a duration of time.	Protects Public Access Clarifies responsibilities of Trail managers for landowner	Non transferable to new landowner Temporary and revocable Does not protect recreational experience Limited management authority
Trail Easement	Formal easements recorded in the deed, in perpetuity that allow for permanent Trail right of way on the property.	Protects Public Access Transferable In Perpetuity	Does not protect recreational experience Limited corridor and management authority
Conservation Easement/ Restriction (CE/CR)	Formal easements recorded in the deed, in perpetuity that allow for permanent protection of conservation values and the recreational experience, usually also includes a Trail right of way.	Protects Public Access Transferable In Perpetuity Protects the recreational experience	Management authority limited to terms outlined in the CE/CR
Full fee simple acquisition	Full acquisition of property.	Protects Public Access Transferable In Perpetuity Protects the recreational experience Full management authority	Long term land management & costs

5.2.2 Protection Partners

Protection partners may include:

1. City or municipality
2. State
3. Non-profits
4. Land Trusts
5. Publicly Regulated Water Companies
6. Local Tribal Nations or Indigenous communities
7. National Park Service or other federal agency

6. Recommendations

6.1 Acquisition Priorities

Acquisition priorities and any rankings are identified in the NET LPP GIS Systems using the criteria and data previously described. Parcels are pursued via a proactive or reactive approach. The protection alternative for each parcel will vary greatly depending on the number and availability of partners and funding. Parcels can be scored using the following metrics.

Tier 1: Critical priority—Critical importance of resource(s) to be protected, high threat, timeliness, opportunity, and criteria met are numerous in number and degree.

Tier 2: High priority—High importance of resource(s) to be protected, moderate threat, timeliness, opportunity, and criteria met are moderate in number and degree.

Tier 3: General priority—General importance of resource(s) to be protected, lower threat, timeliness, opportunity, and criteria met are lesser in number and degree.

6.2 Federal Land Acquisitions by Fiscal Year

Current federal land acquisitions include, but are not limited to, the parcels identified in the table below. Federal land acquisition projects are dynamic and the Trail Administrator maintains the most up to date list.

FY	Tract	Description
2023	NEEN 000-05	Critical Priority parcel of approx. 200 acres of land in Southwick, MA which the Trail traverses. High development risk, critical habitat and exists within USFWS Conte Wildlife Refuge in a Conservation Partnership area. No active land protection partners or land trusts operating in this service area. No options for relocation considering adjacent parcels. Fee acquisition recommended.

APPENDICES

- A. Consulted and Contributing Parties
- B. CT Land Protection Plan
- C. MA Land Protection Plan
- D. GIS Tool Prototype Parcel Selection



Appendix A

Consulted and Contributing Parties

NET Land Protection Plan 2023

NPS

.....
NET Staff

.....
Interior Region I

Park Operations and External Affairs

- Land Resources
- GIS Specialist Team

Park Planning and Special Studies

.....
WASO Park Planning, Facilities, and Lands

Land Resources Division

Park Planning and Special Studies Division

National Trails Land Resources Program Center

.....
WASO National Program Manager, National Trails System
& Wild and Scenic Rivers System

CFPA

AMC

USFWS Silvio Conte Refuge staff

Appendix B

CT Land Protection Plan

CFPA's "An Action Plan for Conserving Connecticut Forest & Park Association's Blue-Blazed Trails," 2018.

*An Action Plan for
Conserving Connecticut Forest
& Park Association's Blue-Blazed Trails*



*Donald J. Owen
Senior Executive Consultant
Lands Trails and Parks LLC
August 15, 2018*

Appendix C

MA Land Protection Plan

[AMC's "A Land Protection Strategy for the New England National Scenic Trail in Massachusetts Final Report," 2022.](#)

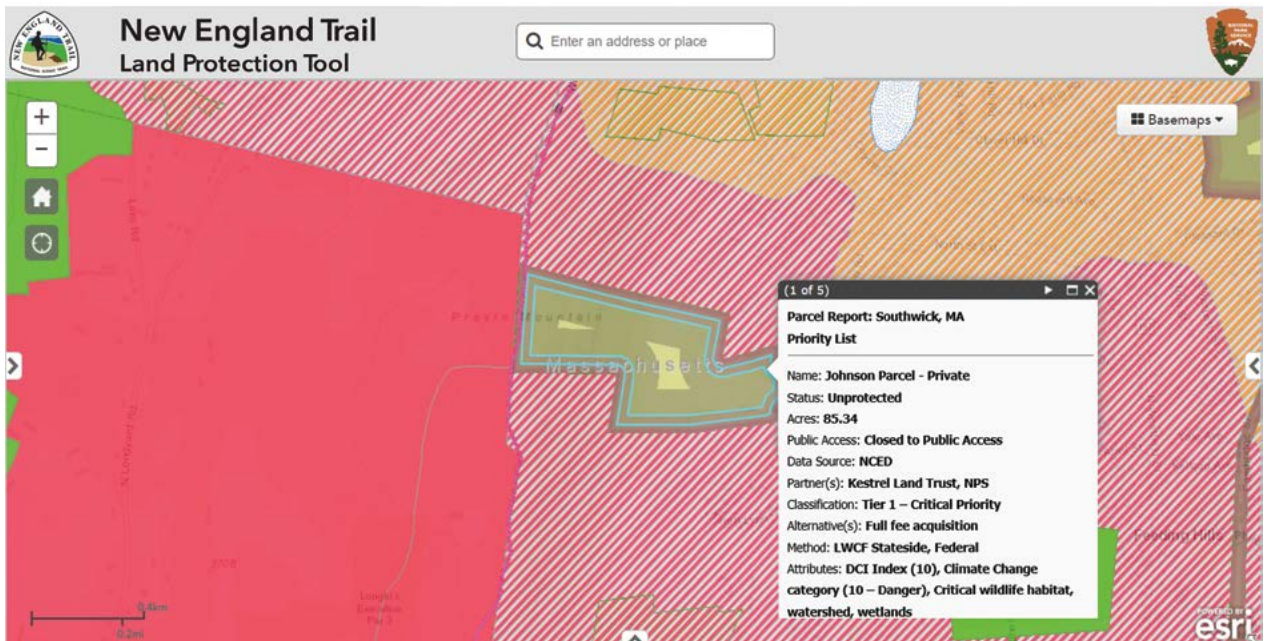
*A Land Protection Strategy for the New England
National Scenic Trail in Massachusetts
Final Report*



*Donald J. Owen
Senior Executive Consultant
Lands Trails and Parks LLC
May 25, 2022*

Appendix D

NET LPP GIS Tool Prototype Parcel Selection*



**For illustration only, tool under development*

