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NATCHEZ TRACE

NATIONAL SCENIC TRAIL / ALABAMA-MISSISSIPPI-TENNESSEE



RECOMMENDED:

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January 15, 1987

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February 11, 1987

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April 24, 1987



comprehensive trail plan

**NATCHEZ TRACE
NATIONAL SCENIC TRAIL**

ALABAMA-MISSISSIPPI-TENNESSEE



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INTRODUCTION



TRAIL CORRIDOR OVERVIEW

The historic Natchez Trail was a primitive trail stretching some 500 miles through the wilderness from Natchez, Mississippi, to Nashville, Tennessee. The story of the old Natchez Trace is the story of a region and of the people who developed this trail into a vital road through the Old Southwest frontier. Although generally thought of as one trail, the Natchez Trace was actually a number of closely parallel wilderness

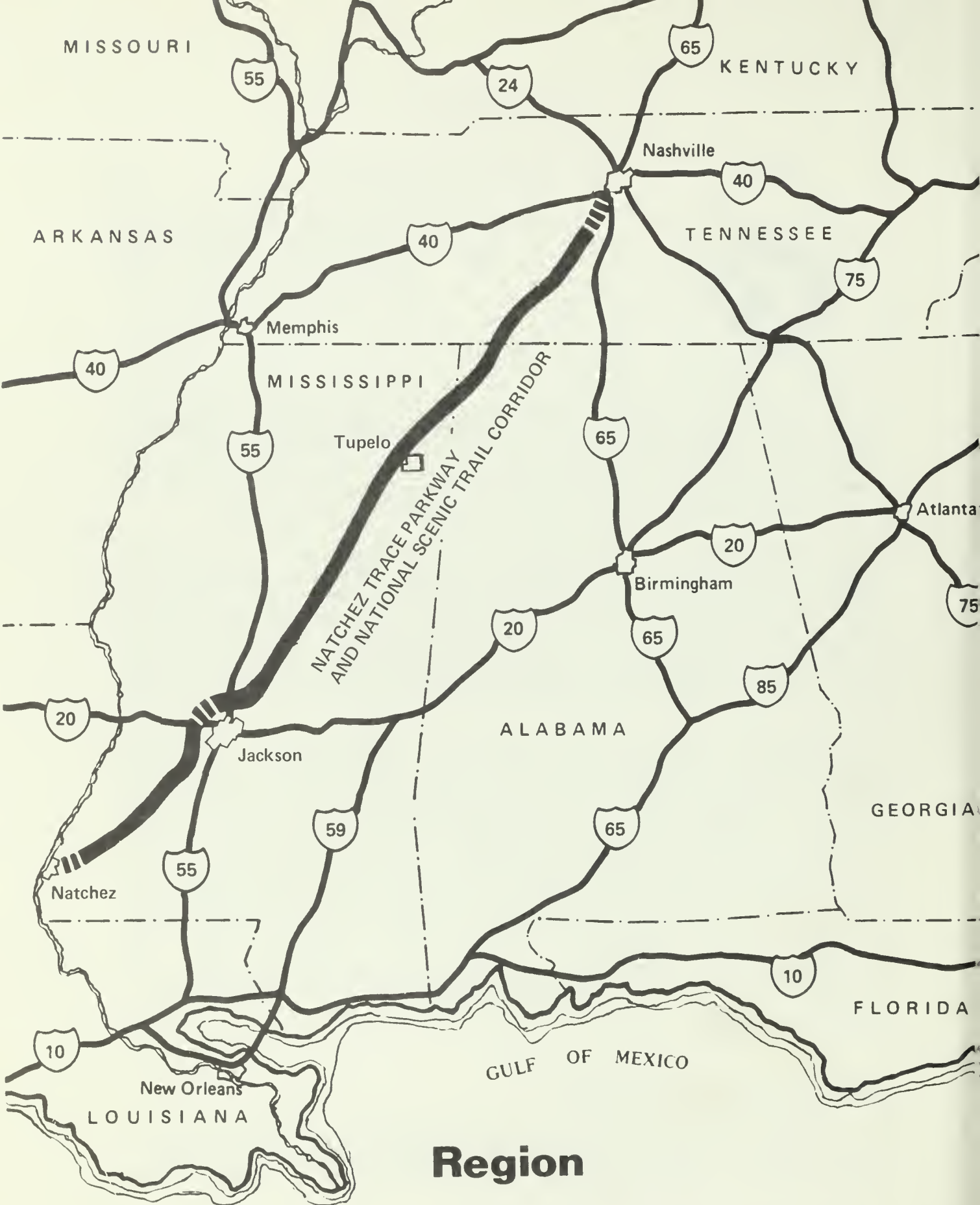
routes. When the first Europeans arrived in the area about 1700, they found the Natchez, Choctaw, and Chickasaw Indians already using these rough trails into the interior of the lower Mississippi Valley. As American settlement expanded toward the southwest, boatmen used the trace to walk back to their homes after disposing of their trade goods and boats in the Mississippi River towns of Natchez and New Orleans.

Today, the Natchez Trace Parkway, which commemorates the old trace, roughly parallels the historic route between Natchez and Nashville. Slated for completion in the 1990s, the 449-mile motor road includes a right-of-way that averages 825 feet in width, with "bulges" at irregular intervals to provide land for associated recreation, interpretive, and management developments. Visitor facilities include comfort stations, picnic areas, campgrounds, marked sections of the old Natchez Trace, and interpreted sites of prehistorical, historical, and natural interest.

The Natchez Trace passes through a transect of midsouthern physiographic and natural communities. North from Natchez, the corridor passes through beech and oak forests of the Loess Bluffs province, the southern pine hills near Raymond, Mississippi, and the Jackson Prairie. From the northeastern tip of Ross Barnett Reservoir, the corridor crosses pine and dry oak forests in Mississippi's north central hills, and the Flatwoods and Pontotoc Ridge provinces. The alluvial agricultural soils around Tupelo are part of the Black Belt province and were important to the Chickasaw and prehistoric Indians. North of Tupelo the corridor cuts through a mixture of pine and hardwood forests in the hills above the Tombigbee and Tennessee rivers and traverses oak- and hickory-dominated forests on the Highland Rim in Tennessee. The corridor ends just south of Nashville, Tennessee, on the western edge of the Nashville Basin, which historically was similar to the open bluegrass region of Kentucky.

PURPOSE OF THE TRAIL PLAN

The National Trails System Act of 1968 designated the Natchez Trace as one of the first trails to be studied for potential inclusion in the national trails system. The study report was published by the National Park



Region

NATCHEZ TRACE PARKWAY

United States Department of the Interior / National Park Service

Ford/Steele's Iron Works/
h's Stand

inder's Inn /
riwether Lewis



Natural and Cultural Resources

Natchez Trace Parkway

United States Department of the Interior / National Park Service

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Service in August 1979. As a result of the findings and recommendations of the study, the Natchez Trace National Scenic Trail was established by Congress in March 1983, and the National Park Service was directed to designate a route. Expenditure of up to \$500,000 was authorized to acquire lands and interests in lands for the trail, and up to \$2 million was authorized for trail development (Public Law 98-11; see appendix A).

The National Trails System Act also called for a comprehensive trail plan to be prepared once the national trail was established. This document responds to that requirement, and it addresses the acquisition, management, development, and use of the national scenic trail. The trail corridor will lie totally within the Natchez Trace Parkway boundary.

The secretary of the interior was assigned responsibility for the overall administration of the Natchez Trace National Scenic Trail. The National Park Service will carry out the secretary's responsibilities and coordinate the development and management of the trail. Volunteer trail groups will be encouraged to participate in the development and maintenance of trail segments. The National Trails System Act also called for an advisory council of federal, state, and private sector representatives to be established for each trail. The board will be consulted by the National Park Service regarding trail development and management.

PLAN DEVELOPMENT AND APPROVAL

The draft Comprehensive Trail Plan / Environmental Assessment was released in February 1986 for a 30-day public review and comment period. As a result of the public response, the National Park Service decided to adopt alternative B as the final plan rather than the proposed action that was described in the draft plan. The basis for this decision is set forth in the "Finding of No Significant Impact," which documents the decision-making process and provides evidence of compliance with the National Environmental Policy Act and other relevant environmental legislation and regulations. A copy of the "Finding of No Significant Impact" may be obtained from either of the following addresses:

Superintendent
Natchez Trace Parkway
R.R. 1, NT-143
Tupelo, MS 38801

Regional Director
National Park Service
75 Spring Street, SW
Atlanta, GA 30303

The development and management actions described in this approved plan are consistent with the "Finding of No Significant Impact," and this document therefore meets the requirements of the National Environmental Policy Act, as amended, and other relevant environmental legislation and regulations. The National Park Service has concluded that no federally protected plant or animal species or critical habitat would be adversely affected, nor would any modification or occupation of floodplains or wetlands occur as a result of this plan. This plan is also in compliance with the National Historic Preservation Act of 1966 and in accord with the provisions of the programmatic memorandum of agreement between the Advisory Council on Historic Preservation, the National Conference of State Historic Preservation Officers, and the National Park Service.

RESOURCE ANALYSIS

The National Trails System Act states that "trails should be established (i) primarily, near urban areas of the Nation, and (ii) secondarily, within scenic areas and along historic travel routes of the Nation." The act also states that national scenic trails should provide "for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities [features] of the areas through which such trails may pass" (see appendix A).

A ranking system was developed to assess resource values along the entire Natchez Trace Parkway corridor and to identify those sections of the corridor that have the highest resource values. In accordance with the National Trails System Act, critical factors for assessing resource values and determining appropriate trail recommendations were proximity to populated areas, scenic quality (focusing on the parkway corridor as well as the adjacent viewshed), and nearness to cultural, natural, or recreational features.

After the critical factors were identified, they were incorporated into a survey form (see the sample form in this section) and assigned a numerical rating based on their level of importance. During a two-week field trip, the planning team systematically applied this survey to 10-mile segments along the entire parkway. Although the scores assigned to the segments are subjective, they do represent a consensus of the team members who participated in the survey.

Numerical scores for specific factors were derived in several ways. For the first factor--proximity to urban populations--three scores were used in the rating. Those parkway segments within or adjacent to standard metropolitan statistical areas (SMSAs) were given the highest scores. Moderate scores were given to trail segments that passed through cities (not SMSAs) and rural towns. The lowest scores were given to trail segments that passed through sparsely populated rural areas.

The second factor--scenic quality--was rated using a modified version of the scenic quality inventory/evaluation in the Visual Resource Management Program, developed by the Bureau of Land Management (1980). Numerical ratings that reflected high, moderate, and low values were used in scoring landform, vegetation, water, color, adjacent scenery, resource scarcity (for example, wildlife or wildflowers), and cultural modifications (see sample survey form). The overall scenic quality score for each 10-mile segment was derived by adding the individual scores assigned to the seven categories.

The third factor--nearness to cultural, natural, or recreational features--was rated using the same high, moderate, and low rating scheme. Any cultural, natural, or recreational feature that was thought to be of primary significance to the parkway was given the highest rating. Features thought to be of moderate or minimal significance received correspondingly lower scores.

SCENIC QUALITY SCORE: 21

Mile 380 to Mile 390

Landform	Vegetation	Water	Color	Adjacent Scenery	Resource Scarcity	Cultural Modification
High vertical relief; prominent cliffs, or mountains, or massive rock formations; severe surface features, or face features, or dominant and exceptionally striking and intriguing features	A variety of vegetation types; high contrast in form, texture, and patterns	Clean and clear water; still, flowing, or cascading; and a dominant and contributing factor to the landscape	High contrast; a variety of vivid colors, which contributes to extraordinary views	Great enhancement of visual quality	One-of-a-kind; rare within the region; memorable	Free from aesthetically undesirable or intrusive sights and influences; or modifications add favorably to visual variety
Moderate relief; rolling hills or undulating landscape; some interesting landform patterns; detail features present and interesting but not dominant or exceptional	Some variety of vegetation, but only one or two types	Water present but not dominant in the landscape	Moderate contrast; some variety of colors	Moderate enhancement of overall visual quality	Distinctive, but somewhat similar to others within the region	Inharmonious intrusions, but not so extensive that they are entirely negated; or modifications add little or no visual variety to the area
No relief; a flat landscape; few features or none	Little or no variety or contrast in vegetation	Water absent or not noticeable	Subtle color variations; low contrast	Little or no influence on overall visual quality	Interesting within its setting but fairly common within the region	Extensive modifications that impair or substantially reduce scenic qualities
1	1	0	1	0	1	-4

Scenic Quality Score	User Potential Score*	Cultural Resource Score**	Natural Resource Score**	Recreation Resource Score**
21	0	Buffalo River Iron Works Historic Site Napier Mine Historic Site Meriwether Lewis Monument Old Trace Hiking Trail	English Camp Water Falls 1	Meriwether Lewis Recreation Area 10
21	0	12	1	10
				Total: 44

* User Potential

20 - Near major urban population
 10 - Near major rural population
 0 - Minimal population area

**Cultural, Natural, and Recreation Score Key

10 - High or of primary significance or value
 5 - Moderate significance and of some value
 1 - Low significance and of little value

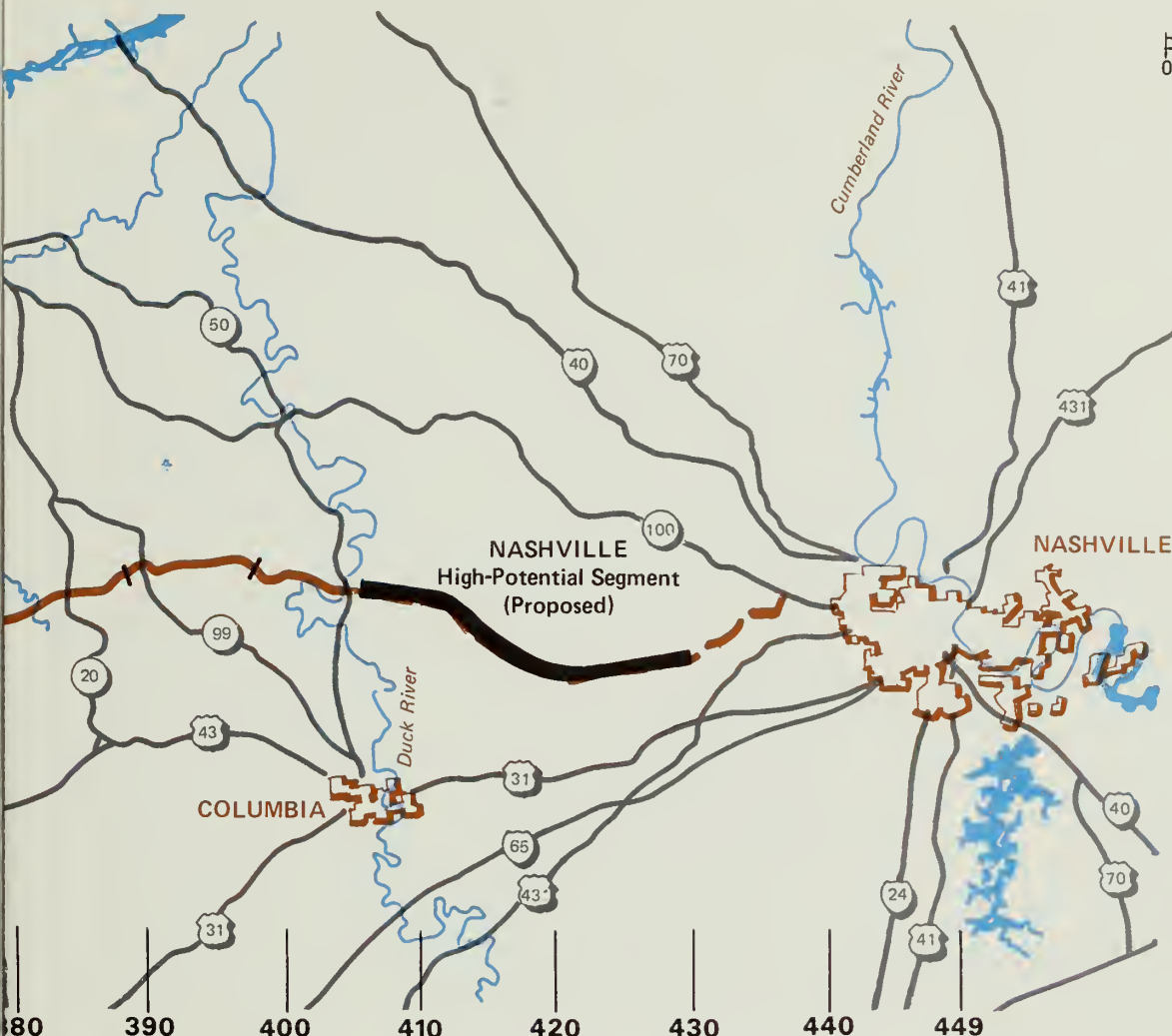
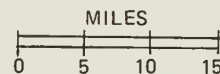
After numerical scores were assigned for each of the three factors, the scores were totaled to provide a composite score for each 10-mile segment of the parkway (see table 1). Parkway segments that scored higher than 45 were designated as high-potential segments for trail development. The four segments that met these values are in or near Natchez and Jackson, Mississippi; Colbert Ferry (Pickwick Lake), Alabama; and Nashville, Tennessee (see Resource Analysis and High-Potential Segments map).

An additional viewshed survey form was also used for each 10-mile segment to supplement the composite resource analysis scores. Viewing distances from both sides of the parkway, in terms of foreground, midground, and background, were recorded for each mile along the entire length of the parkway. Unobstructed viewing distances of approximately 100 feet from the parkway (foreground), 2,500 feet from the parkway (midground), and more than 2,500 feet from the parkway (background) were mapped to ensure that national trail locations and other trails along the parkway would provide a variety of landscape views (see survey forms below).

SAMPLE VIEWSHED SURVEY FORM

Background	Midground	Foreground		Foreground	Midground	Background	
			10 mile				Milepost 380
			9				
			8				
			7				
			6				
			5				
			4				
			3				
			2				
			1				
			0 mile				Milepost 390
			PARKWAY				

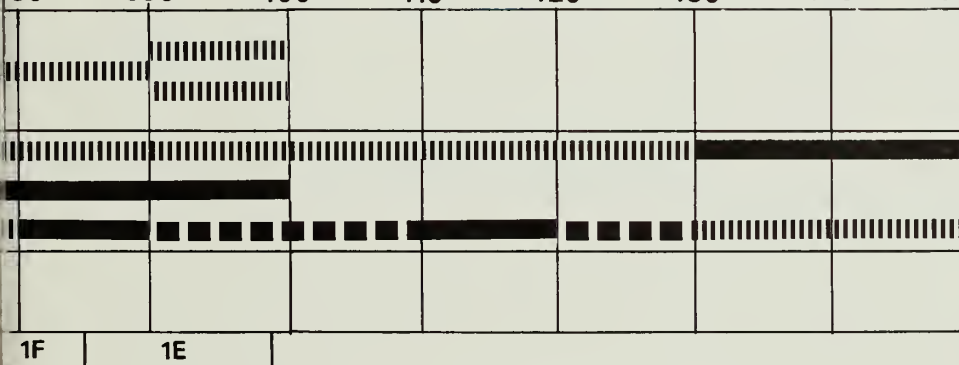
NORTH



Resource Analysis and High-Potential Segments

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LEGEND

VIEWSHED

|||||| existing view

RESOURCE VALUES

|||||| low
■■■ medium
■■■ high

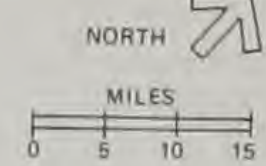
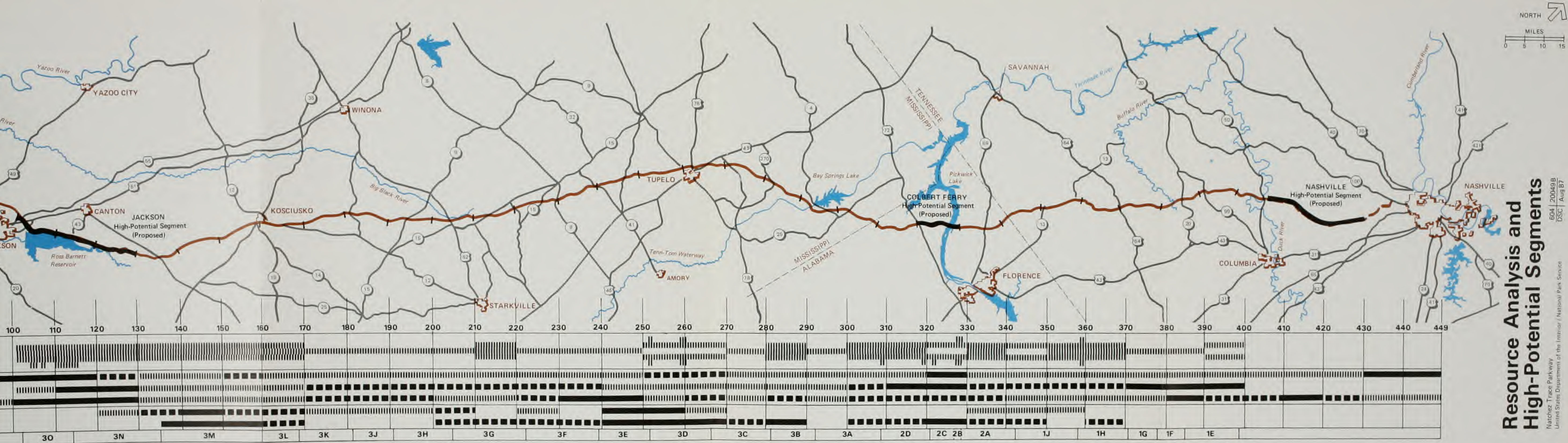
LAND MANAGEMENT

Scenic Easements
none

|||||| less than 60 acres/10 miles
■■■ 60-120 acres/10 miles
■■■ more than 120 acres/10 miles

Agricultural Leases

none
|||||| 1-3 miles/10 miles
■■■ 3-6 miles/10 miles
■■■ more than 6 miles/10 miles



Resource Analysis and High-Potential Segments

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DSC | Aug 87
Natchez Trace Parkway
United States Department of the Interior / National Park Service

LEGEND

- | | | |
|--|---|---|
| VIEWSHED
 existing view | RESOURCE VALUES
 low
■■■ medium
■ high | LAND MANAGEMENT
Scenic Easements
none
 less than 60 acres/10 miles
■■■ 60-120 acres/10 miles
■ more than 120 acres/10 miles

Agricultural Leases
none
 1-3 miles/10 miles
■■■ 3-6 miles/10 miles
■ more than 6 miles/10 miles |
|--|---|---|

Table 1: Natchez Trace Parkway Segment Scores

<u>Mile Segment</u>	<u>Location</u>	<u>Urban Score</u>	<u>Scenic Quality Score</u>	<u>Natural, Cultural, Recreational, Features Score</u>	<u>Total</u>	<u>High-Potential Segment</u>
0-10	Natchez, MS	10	15	10	35	
10-20		0	15	33	48	X
20-30		0	18	0	18	
30-40		0	9	0	9	
40-50		0	17	20	37	
50-60		0	19	25	44	
60-70		0	13	1	14	
70-80		0	12	2	14	
80-90	Clinton, MS	20	14	0	34	
90-100	Clinton, MS	20	14	0	34	
100-110	Jackson/Reservoir	20	13	41	74	X
110-120	Jackson/Reservoir	20	26	25	71	X
120-130		10	20	21	51	X
130-140		0	13	1	14	
140-150		0	15	2	17	
150-160	Kosciusko, MS	10	14	1	25	
160-170		0	13	1	14	
170-180		0	16	12	28	
180-190		0	16	15	31	
190-200		0	16	15	31	
200-210		0	19	2	21	
210-220		0	16	1	17	
220-230		0	16	10	26	
230-240		0	16	21	37	
240-250		0	16	21	37	
250-260	Tupelo, MS	10	13	2	25	
260-270		10	13	18	41	
270-280		0	15	2	17	
280-290		0	15	11	26	
290-300		0	13	5	18	
300-310		0	19	11	30	
310-320		0	20	10	30	
320-330	Colbert Ferry	20	20	12	52	X
330-340		0	16	11	27	
340-350		0	19	7	26	
350-360		0	16	1	17	
360-370		0	19	8	27	
370-380		0	21	6	27	
380-390		0	21	23	44	
390-400		0	21	12	33	
400-410		0	21	12	33	
410-420		0	24	30	54	X
420-430		0	24	20	44	X
430-440	Nashville	20	24	10	54	X
440-450		20	18	0	38	

TRAIL DEVELOPMENT

NATIONAL TRAIL ROUTE

The Natchez Trace National Scenic Trail is unique compared to other national trails because the 449-mile, 825-foot-wide parkway corridor is entirely federally owned. Although present information does not conclusively demonstrate a need for trails, the opportunity offered by an existing, continuous corridor across federal land is unparalleled. Because of existing federal landownership and the scenic quality and historical significance of the Natchez Trace, the entire parkway corridor will be designated as the route of the Natchez Trace National Scenic Trail.

Hiking will continue along the entire length of the parkway, using existing trails and the motor road shoulder. Horseback riding will be permitted only on trails designated for such use. Bicycling will continue along the entire developed length of the parkway. Bicycle use will be monitored, however, and accommodations will be made to separate bicycle users and vehicular traffic where required in heavy use areas. Overnight camping for long-distance bicyclers and hikers will be provided at existing campgrounds.

The trail proposal has been developed in concert with the General Management Plan for the parkway, and all trails proposed in that plan will be components of the designated national trails system. Interpretive centers, wayside exhibits, and orientation stops will serve both general parkway visitors and trail users.

TRAIL INFORMATION/INTERPRETATION

Information/orientation wayside exhibits proposed in the General Management Plan will include information about parkway trails. In addition, a brochure or pamphlet about trails is recommended. This publication would serve as an aid for hikers, bicyclers, and horseback riders, helping them select specific trails and organize their trips. Parkway visitors should be informed of the following:

- the location of trails along the parkway, their length, and their level of difficulty
- the various types of scenery or special resources along the route
- rules of visitor behavior and safety on trails
- the location of trail facilities and services

Trail users should also have the opportunity to learn about and appreciate prehistoric resources and the historic significance of the Natchez Trace. From its earliest role as a network of Indian trails to its use by boatmen on their return trip up the Mississippi, the corridor

played an important role in our country's development. Specific proposals to implement the objectives of this information/interpretive program are discussed in the General Management Plan and will be more fully developed in the interpretive prospectus for Natchez Trace Parkway.

PROPOSED TRAIL SEGMENTS AND DEVELOPMENT

Of the four high-potential segments identified during the resource analysis phase of planning, three of them--the Nashville, Jackson, and Natchez segments--will be developed as combined hiking and horseback-riding trails at this time. These trail segments were selected because of their proximity to areas where high use is anticipated. The Colbert Ferry high-potential segment will not be developed because the resource values and viewshed qualities both north and south of this segment are low. Undertaking trail development as part of the larger parkway construction project will also have economic benefits.

Up to \$500,000 was authorized by PL 98-11 for land acquisition for the national scenic trail. However, because the proposed trail segments will be entirely within the boundaries of the Natchez Trace Parkway, no land acquisition will be required.

In accordance with the National Trails System Act, uniform markers will be erected and maintained along national trail segments. The design will be the official Natchez Trace National Scenic Trail symbol shown at the beginning of this plan. This symbol, similar to that used elsewhere along the parkway, depicts one of the post riders who were frequent users of the historic trace. The symbol will be registered with the U.S. Patent Office, and the National Park Service will monitor and protect the symbol's use.

During the final planning stages considerable time and effort will be taken to determine precise trail alignments. Park planners will review in the field each foot of the proposed trails to ensure that the best locations are selected after considering all alternatives. Resource protection, maintenance, aesthetics, public safety, and costs will be the criteria used in deciding final trail alignments. At this time all trail signing needs will also be determined, and the exact location of trail amenities will be decided. In conjunction with trail construction, trail brochures will be developed and promotional information will be provided to trail user groups, as well as to the general public.

Costs for developing typical trail facilities are shown in table 2. Annual operation and maintenance costs for a trail segment are estimated at \$15,000.

Nashville Trail Segment

The Nashville trail segment will provide hiking and horseback-riding opportunities along a portion of the old Natchez Trace and scenic panoramas from Butler Ridge.

A new Duck River trailhead staging area will be the southern entrance to the Nashville trail segment (see Nashville High-Potential Segment map). This new development will be on the west side of the parkway and north of Tennessee Highway 50. A short hiking trail will connect the trail staging area with the Gordon House site. Plans for the Gordon House site have been approved, but construction has not begun. Waterlines will be extended from the Gordon House comfort station to provide potable water at the staging area.

The Nashville trail segment will cross under Tennessee 50 and continue along the west side of the boundary to milepost 422. This western alignment will use existing county roads within the parkway boundary. The terrain and landforms are similar along both sides of the parkway for this section of the trail route. A primitive corral and tethering poles will be provided on the west side of the parkway at milepost 418 so that riders can hitch their horses and cross the parkway on foot to visit the Water Valley overlook. At milepost 420 the trail will cross the proposed access road from Tennessee Highway 46. An underpass will provide trail access to the west side at milepost 422.

The trail will cross the parkway at milepost 424.5 by means of an underpass, continue on the west side of the parkway by using a 2-mile stretch of existing county roads, and again cross the parkway by means of an underpass at milepost 427. From this point the trail will remain on the east side of the parkway to the Garrison Creek picnic area. This alignment follows one of the longest and most discernible sections of the historic Natchez Trace, and it will also incorporate the Butler Ridge overlook. A staging area will be provided at the Garrison Creek picnic area. Potable water will be provided at the trail staging area.

Jackson Trail Segment

The Jackson trail segment will provide both hiking and horseback riding opportunities for 23 miles through predominantly southern pine forest with gently rolling terrain. Numerous streams and open fields dot the landscape, and views of the Ross Barnett Reservoir will be available along the southern portion of the trail.

The southern terminus for the Jackson segment will be the existing British West Florida parking area (milepost 108), which will be redesigned to serve as a trailhead staging area (see Jackson High-Potential Segment map). While trail users will have to provide their own water, the nearby lake and its numerous drainages will provide water for horses. Portable toilets will be provided unless the construction of restroom facilities is warranted by demand.

Just north of the staging area the trail alignment crosses two drainages, which will require separate, approximately 90-foot bridges adjacent to and east of the parkway bridges. Just north of these crossings, at milepost 109, the trail will pass beneath the parkway by means of a seldom used county road underpass. The trail alignment will then continue north on

the west side of the parkway. At milepost 110.4 an approximately 150-foot bridge will be required to cross another major drainage. From there the trail will continue on and join the existing Lonesome Pine horse trail just west of milepost 111.3. The trail will follow the existing trail alignment, which runs northward to an existing trailhead parking area near the intersection of Mississippi 43 and Twelve Oaks Trace County Road (milepost 115).

After crossing Mississippi 43 the trail alignment will continue on the west side of the parkway motor road and will follow two short segments of the old trace between mileposts 118 and 120. Several drainages will require modest bridges for hikers. Where the terrain is low and wet, the alignment will move eastward to the higher slope adjacent to and in sight of the parkway. At milepost 122.7 a hitching rack will be provided for horseback riders wanting to use the River Bend picnic facilities and restroom just across the parkway.

Continuing north inside the west boundary, the trail will pass by the Choctaw Boundary parking area (milepost 128.5) and continue north to its terminus at the Yockanookany parking area (milepost 131). Portable toilets will be provided unless use demands the construction of restroom facilities.

Natchez Trail Segment

The Natchez Trail segment will provide over 65 miles of continuous hiking and horseback-riding trail: a 20-mile loop from US Highway 61 (about 9 miles northeast of Natchez) to Mount Locust and a 45-mile extension north to Rocky Springs. Several major drainages will have to be forded, and the trail will have to be closed for short periods during high water. Because of the narrow configuration of the parkway right-of-way and also the many leased agricultural fields, the trail will have to be placed near the parkway motor road whenever required by existing land use patterns.

The southern end of the Natchez trail segment will begin just north of US 61 near milepost 9. (The first 9 miles of parkway will include 10 bridges over state highways, county roads, large streams, and one railroad. These design constraints render this southernmost end of the parkway undesirable for the development of safe, long-distance hiking or horseback trails.) The proposed southern contact station on section 3X will serve as the primary information and orientation center for visitors traveling north (see Natchez High-Potential Segment map). The existing wayside exhibit shelter just north of US 61 (milepost 8.7, east side) will serve as the trailhead parking area for hikers for the southern end of the Natchez trail segment.

This portion of trail will be a loop hiking/horseback-riding trail on the south end of parkway section 3W between the existing parking area (milepost 8.7) and Mount Locust (milepost 15.8). The loop trail will be developed along the east and west sides of the parkway to Mount Locust, following existing segments of the old trace wherever possible. A 1-mile

spur trail will extend west to Emerald Mound (milepost 10) when the additional right-of-way has been acquired and the new entrance road has been developed to serve this historic site. At the Mount Locust end of the loop a staging area for horseback riders will be developed off the county road just to the north. Drinking water and comfort stations are available nearby.

The Mount Locust staging area will also serve the 45-mile trail north to Rocky Springs. This trail will follow existing, seldom used gravel county roads where possible. It will cross Coles Creek at the low-water crossing and the parkway at the county road grade crossing (milepost 17). On the east side of the parkway the trail will join a preserved segment of the old Natchez Trace, which extends over 3 miles northeast to Mississippi Highway 553. This segment will serve as a spur trail for those who wish to hike or ride a horse over the longest preserved segment of the old Natchez Trace existing within the parkway.

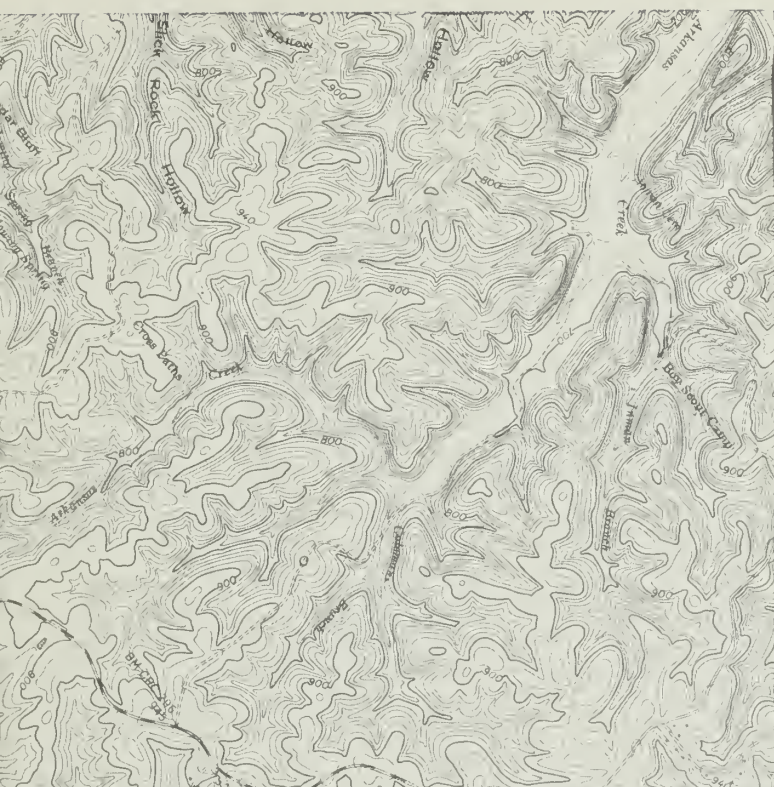
From milepost 17 the trail will extend north along the existing gravel county road to Mississippi 553. From here a trail will be developed north, crossing Mississippi 552 and US 61 on the east side of the parkway. These highways and several county roads will have to be crossed at grade, necessitating the need for close cooperation in marking and signing trail crossings. The trail will cross the existing county road underpass at milepost 54.5. A trailhead parking area and staging area will be developed in the vicinity of the proposed Rocky Springs developed area.

FUTURE TRAIL DEVELOPMENT

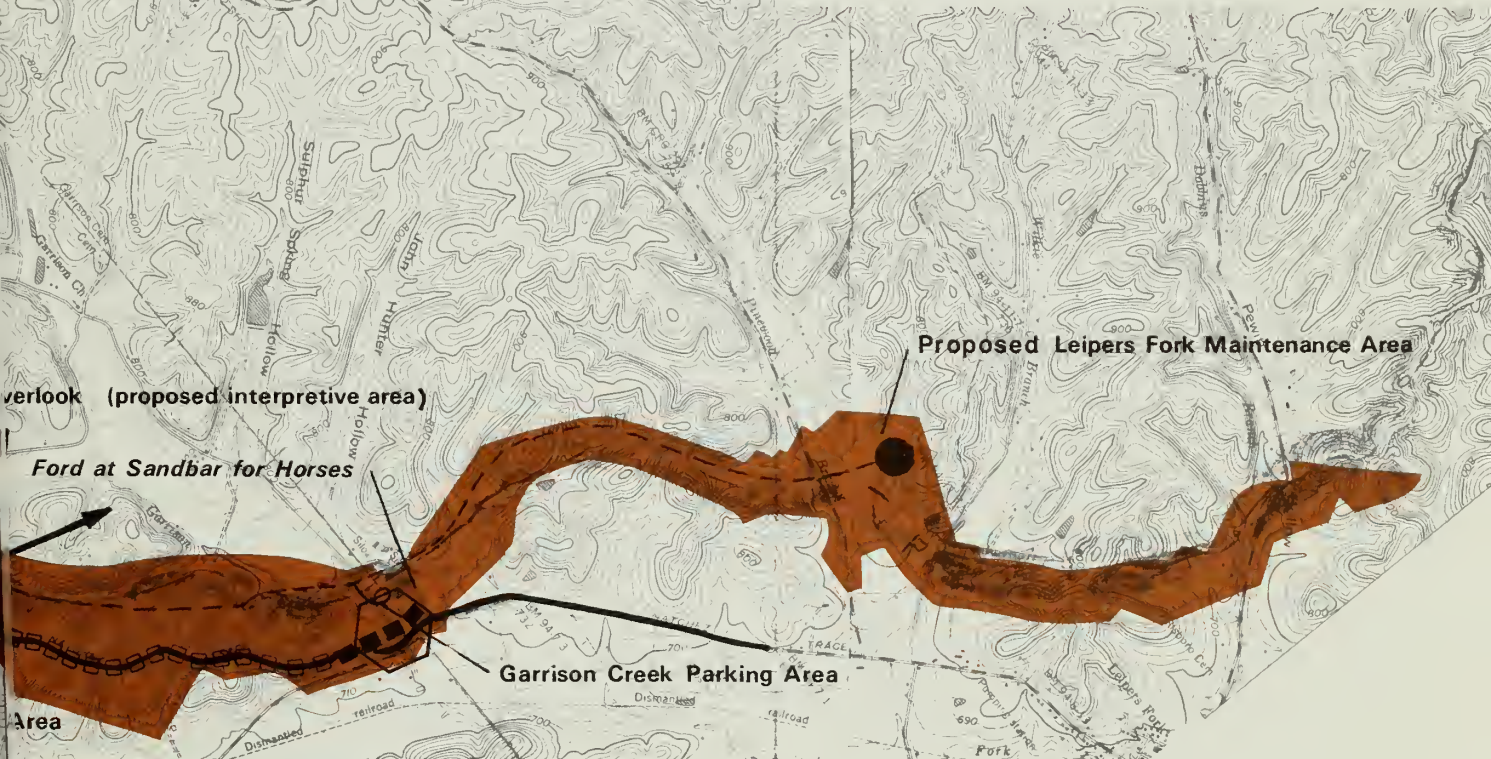
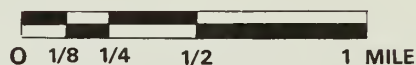
The National Park Service will develop sections of the Nashville, Jackson, and Natchez trail segments, where highest use is expected and where the most trail can be developed with appropriated funds. For planning and cost figuring, the National Park Service is estimating 20 miles of trail development.

Any future trail development will be based on demonstrated user demand and the ability of private user groups to provide development funding and maintenance. The National Park Service may provide technical assistance in trail planning and implementation or in the preparation of orientation and interpretive materials relating to trails, but no further NPS funding will be anticipated for the national trail. Sample costs for future private sector trail development are shown in table 2. This trail plan will continue to serve an important function as a guide for future trail development efforts.

To ensure continuity and quality of the trail system, memorandums of agreement or understanding will be required between any trail developers and the National Park Service. All future trail development will be subject to NPS approval and should be consistent with objectives and guidelines contained in this planning document and recommended trail management handbooks (see the Bibliography).



- PROPOSED PARK ROAD
- PARKWAY AREA
- PROPOSED TRAIL
- EXISTING TRAIL (OLD NATCHEZ TRACE)
- STAGING AREA
- OPEN FIELD
- SEMI-OPEN FIELD
- POTENTIAL CAMPSITE AREA
- UNDERPASS
- OLD NATCHEZ TRACE



Nashville High-Potential Segment

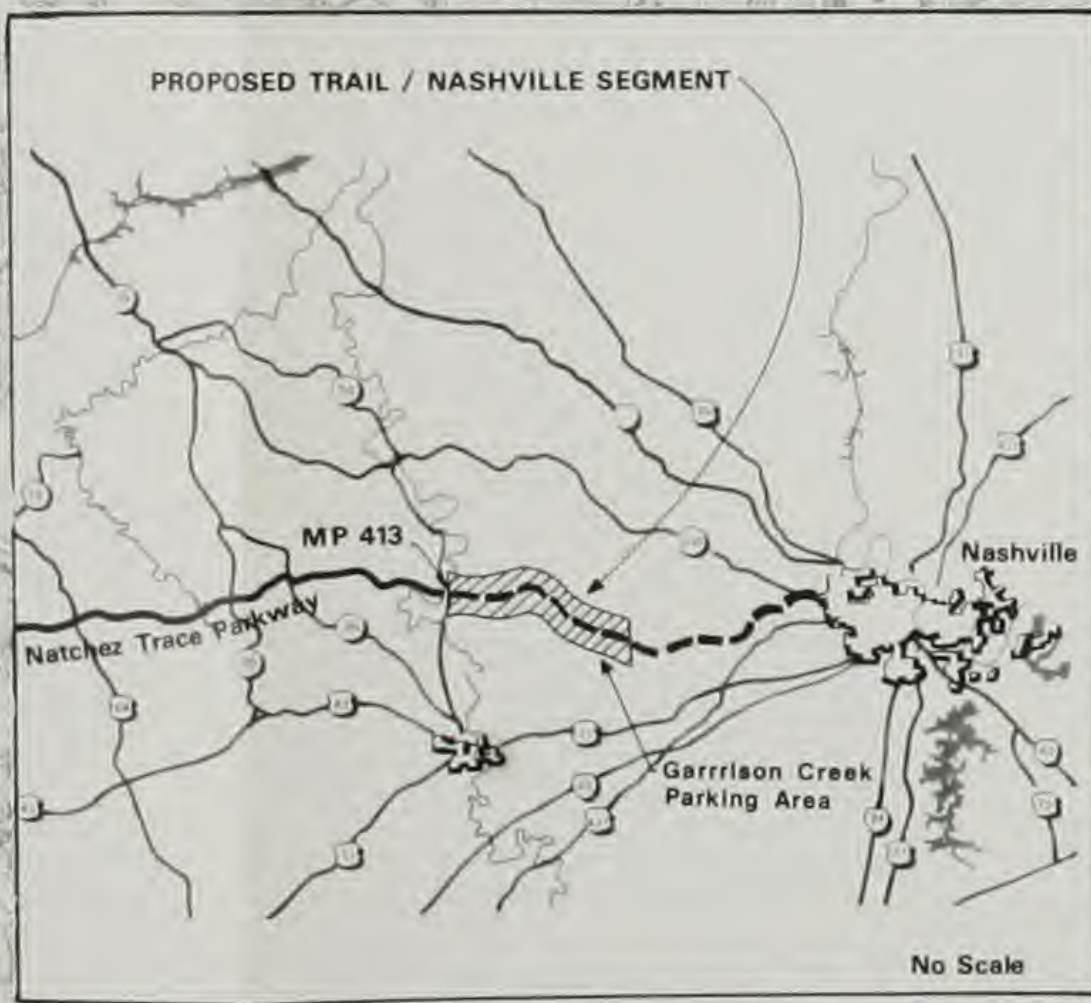
ing / Horseback-Riding Trail

Natchez Trace Parkway

United States Department of the Interior / National Park Service

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DSC | Aug 87



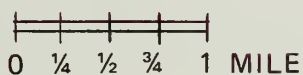
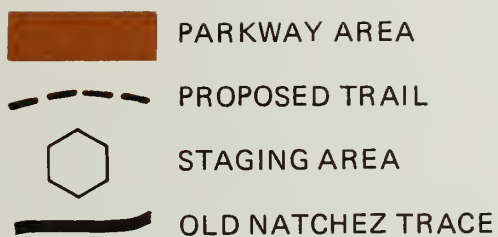
INSET

Nashville High-Potential Segment

Hiking / Horseback-Riding Trail

Natchez Trace Parkway
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Jackson High-Potential Segment





Hiking / Horseback-Riding Trail

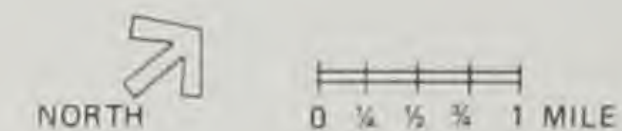
Natchez Trace Parkway

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-  PARKWAY AREA
-  PROPOSED TRAIL
-  STAGING AREA
-  OLD NATCHEZ TRACE



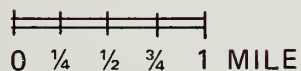
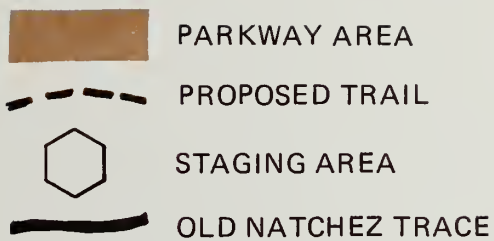
Jackson High-Potential Segment

Hiking / Horseback-Riding Trail

Natchez Trace Parkway

National Park Service / United States Department of the Interior

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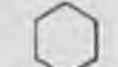
Natchez High-Potential Segment

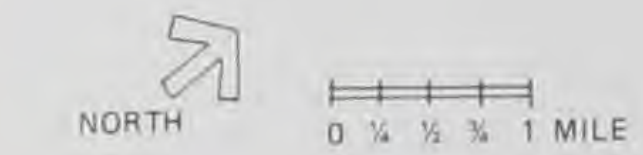
Hiking / Horseback-Riding Trail

Natchez Trace Parkway

National Park Service / United States Department of the Interior



-  PARKWAY AREA
-  PROPOSED TRAIL
-  STAGING AREA
-  OLD NATCHEZ TRACE



Natchez High-Potential Segment

Hiking / Horseback-Riding Trail

Natchez Trace Parkway
National Park Service / United States Department of the Interior

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Table 2: Trail Development Cost Summary for a Typical Segment
(1985 dollars)

Development Action	Gross Construction Cost	Advance and Project Planning Cost	Total Cost
Develop 20 miles of unsurfaced hiking/horseback- riding trail	\$524,000	\$100,000	\$624,000
Install tethering posts and signs	3,000	500	3,500
Provide 10 trailer parking units (2 horses per trailer)	20,000	4,000	24,000
Provide 10 standard parking units	10,000	2,000	12,000
Install 2 vault pit toilets	26,000	5,000	31,000
Provide 2 fire rings for picnic use	1,000	500	1,500
Develop central water supply (well) and pump/housing/treatment	28,000	5,000	33,000
Construct roadway into staging area (600 lin ft)	39,000	8,000	47,000
Construct turnaround	8,000	2,000	10,000
Prepare trail guide publication	13,000	2,000	15,000
Conduct archeological survey			5,000*
Total	\$672,000	\$129,000	\$806,000

*Cost covered by Southeast Archeological Center operating funds

Future trail routes will be based on a visitor experience concept that takes into account the presence and relative significance of the following resource factors: water (clean streams and lakes, rapids and white water, springs, wetlands, stream confluences, waterfalls), landforms (high points, rock outcrops, high contrast topographic edges), vegetation (unique species, prominent edges), and man-made features and land uses (prehistoric archeological sites, historic landscapes and structures, transportation and recreation features, residential development, agricultural land uses, commercial land uses). When trail routes and locations for trailheads and staging areas are selected, the following requirements should be met:

Trails should be located on NPS lands.

Staging areas and access points should be located so that users can choose different trip lengths.

Scenic overlooks within the parkway should be part of the route.

The trail should be routed to take advantage of natural and cultural features; specifically, the trail should follow the historic trace where feasible.

The trail should pass through a variety of landforms and vegetation types.

Visual intrusions that would detract from a trail experience should be avoided.

Critical or sensitive animal or plant habitats should be avoided.

Damage to sites listed on or eligible for listing on the National Register of Historic Places should be avoided.

Areas that are subject to flooding or poor drainage should be avoided.

Previously disturbed areas and developed sites, facilities, and structures should be used whenever possible for trailheads and staging areas.

Views of creeks, streams, rivers, and lakes should be provided.

The parkway motor road should be crossed only when necessary.

Additionally, any new trail plans must comply with the following general design guidelines:

Disturbance of the ground surface to obtain a trail base will be minimized, and trail surfacing will be used only if needed for erosion control.

Most trail sections will maintain a grade of 10 percent or less, and where major elevational changes occur, switchback construction will be required to reduce erosion potential and maintain a proper grade.

A 10-foot-high and 8-foot-wide clearance will be maintained on trails that accommodate both hikers and horseback riders.

Staging areas (1 to 2 acres) will be developed at each end of a trail and will include two pit toilets, two fire rings for picnic use, tethering poles (horse trails only), a trailhead sign/brochure dispenser, and a potable water supply if feasible.

Staging areas within the parkway right-of-way will accommodate parking for standard vehicles and, in the case of horseback-riding trails, back-in parking bays for vehicles with horse trailers. Areas for horse trailers and automobiles should be paved; however, the surface of the horse-tethering or -staging areas should be grass, pea gravel, or wood chips.

Vehicle access spurs and parking areas will be paved and will have appropriate turning radii, road widths, and unloading areas to provide easy access and use; parking will accommodate 10 standard vehicles plus 10 horse trailer units for horseback-riding trails.

Primitive camping areas will be provided on those trails that are longer than a normal day's hike; camping sites will take advantage of points of interest, but will not be accessible from the roadway; pit toilets will be provided; and potable water may be provided if feasible.

Trails will be aligned to minimize or avoid impacts on parkway lands under private agricultural leases.

Cooperative agreements with appropriate authorities may be required if trail alignments follow county roads.

All trails will be marked by posting the Natchez Trace National Scenic Trail symbol; markers will be available from the National Park Service in two sizes--a 9-inch size for use at trailheads and a 3½-inch size for periodic route confirmation signs. Where appropriate, blazes may also be used to assist in trail route location.

In addition to trails within the national trail corridor, there is potential for side trails that would provide access to significant sites or recreation facilities away from the parkway. Examples could include U.S. Forest Service recreation areas, state parks and wildlife areas, or cultural sites related to Natchez Trace history. Side trails and associated facilities would be funded, developed, and maintained by private user groups or the respective land-managing agency or owner. The National Park Service would provide orientation signs where side trails intersected national trail segments, and spur trails within the parkway boundary would be developed to connect the national hiking trail with any designated side trail.

APPENDIX: NATIONAL TRAILS SYSTEM LEGISLATION
(16 USC 1241-51)

§ 1241. National trails system

(a) Establishment

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

(b) Congressional declaration of purpose; initial components

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

(Pub. L. 90-543, § 2, Oct. 2, 1968, 82 Stat. 919; Pub. L. 95-625, title V, § 551(1)-(3), Nov. 10, 1978, 92 Stat. 3511.)

AMENDMENTS

1978—Subsec. (a). Pub. L. 95-625, § 551(1), (2), inserted "the preservation of," and "and historic resources" following "promote" and "outdoor areas" and substituted "within scenic areas and along historic travel routes of the Nation, which are often more remotely located" for "within established scenic areas more remotely located".

Subsec. (b). Pub. L. 95-625, § 551(3), substituted ", scenic and historic" for "and scenic".

SHORT TITLE

Section 1 of Pub. L. 90-543 provided that: "This Act [enacting this chapter] may be cited as the 'National Trails System Act'."

(c) Volunteer citizen involvement

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

(As amended Pub. L. 98-11, title II, § 202, Mar. 28, 1983, 97 Stat. 42.)

AMENDMENTS

1983—Subsec. (b). Pub. L. 98-11, § 202(1), substituted "The" for "the" before "purpose".

Subsec. (c). Pub. L. 98-11, § 202(2), added subsec. (c).

SHORT TITLE OF 1983 AMENDMENT

Section 201 of Pub. L. 98-11 provided that: "This title [enacting sections 1250 and 1251 of this title and amending sections 1241 to 1247, and 1249 of this title] may be cited as the 'National Trails System Act Amendments of 1983'."

§ 1242. National trails system

(a) Composition: recreation trails; scenic trails; historic trails; connecting or side trails; uniform markers

The national system of trails shall be composed of the following:

(1) National recreation trails, established as provided in section 1243 of this title, which will provide a variety of outdoor recreation uses in or reasonably accessible to urban areas.

(2) National scenic trails, established as provided in section 1244 of this title, which will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass. National scenic trails may be located so as to represent desert, marsh, grassland, mountain, canyon, river, forest, and other areas, as well as landforms which exhibit significant characteristics of the physiographic regions of the Nation.

(3) National historic trails, established as provided in section 1244 of this title, which will be extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historical significance. Designation of such trails or routes shall be continuous, but the established or developed trail, and the acquisition thereof, need not be continuous onsite. National historic trails shall have as their purpose the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment. Only those selected land and water based components of an historic trail which are on federally owned lands and which meet the national historic trail criteria established in this chapter are included as Federal protection components of a national historic trail. The appropriate Secretary may certify other lands as protected segments of an historic trail upon application from State or local governmental agencies or private interests involved if such segments meet the national historic trail criteria established in this chapter and such criteria supplementary thereto as the appropriate Secretary may prescribe, and are administered by such agencies or interests without expense to the United States.

(4) Connecting or side trails, established as provided in section 1245 of this title, which will provide additional points of public access

to national recreation, national scenic or national historic trails or which will provide connections between such trails.

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

(b) Extended trails

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

(c) Comprehensive plan submitted by Secretary of the Interior to Congress; revisions; content; consultation

On October 1, 1982, and at the beginning of each odd numbered fiscal year thereafter, the Secretary of the Interior shall submit to the Speaker of the United States House of Representatives and to the President of the United States Senate, an initial and revised (respectively) National Trails System plan. Such comprehensive plan shall indicate the scope and extent of a completed nationwide system of trails, to include (1) desirable nationally significant scenic and historic components which are considered necessary to complete a comprehensive national system, and (2) other trails which would balance out a complete and comprehensive nationwide system of trails. Such plan, and the periodic revisions thereto, shall be prepared in full consultation with the Secretary of Agriculture, the Governors of the various States, and the trails community.

(As amended Pub. L. 98-11, title II, § 203, Mar. 28, 1983, 97 Stat. 42.)

AMENDMENTS

1983—Subsec. (a). Pub. L. 98-11, § 203(1), (2), designated existing provisions as subsec. (a), redesignated former subsecs. (a) to (d) as pars. (1) to (4), respectively, and, in provisions preceding par. (1), substituted "shall be composed of the following:" for "shall be composed of—".

Subsec. (a)(2). Pub. L. 98-11, § 203(3), added provision authorizing the location of national scenic trails so as to represent desert, marsh, grassland, mountain, canyon, river, forest, and other areas, as well as landforms which exhibit significant characteristics of the physiographic regions of the Nation.

Subsec. (a)(3). Pub. L. 98-11, § 203(4), (5), substituted "in this chapter are included as Federal" for "in this chapter, are established as initial Federal" in fourth sentence and struck out "subsequently" after "The appropriate Secretary may" in fifth sentence.

Subsecs. (b), (c). Pub. L. 98-11, § 203(6), added subsecs. (b) and (c).

§ 1243. National recreation trails; establishment and designation; prerequisites

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

(i) such trails are reasonably accessible to urban areas, and, or

(ii) such trails meet the criteria established in this chapter and such supplementary criteria as he may prescribe.

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

(i) trails in or reasonably accessible to urban areas may be designated as "National Recreation Trails" by the appropriate Secretary with the consent of the States, their political subdivisions, or other appropriate administering agencies;

(ii) trails within park, forest, and other recreation areas owned or administered by States may be designated as "National Recreation Trails" by the appropriate Secretary with the consent of the State; and

(iii) trails on privately owned lands may be designated "National Recreation Trails" by the appropriate Secretary with the written consent of the owner of the property involved.

(As amended Pub. L. 98-11, title II, § 204, Mar. 28, 1983, 97 Stat. 43.)

AMENDMENTS

1983—Subsec. (b)(1), (ii). Pub. L. 98-11, § 204(1), substituted "appropriate Secretary" for "Secretary of the Interior".

Subsec. (b)(iii). Pub. L. 98-11, § 204(2)-(4), added cl. (iii).

§ 1244. National scenic and national historic trails

(a) Establishment and designation; administration

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

* * * *

(12) The Natchez Trace National Scenic Trail, a trail system of approximately six hundred and ninety-four miles extending from Nashville, Tennessee, to Natchez, Mississippi, as depicted on the map entitled "Concept Plan, Natchez Trace Trails Study" in "The Natchez Trace", a report prepared by the Department

of the Interior and dated August 1979. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.

* * * *

(b) Additional national scenic or national historic trails; feasibility studies; consultations; submission of studies to Congress; scope of studies; qualifications for national historic trail designation

The Secretary of the Interior, through the agency most likely to administer such trail, and the Secretary of Agriculture where lands administered by him are involved, shall make such additional studies as are herein or may hereafter be authorized by the Congress for the purpose of determining the feasibility and desirability of designating other trails as national scenic or national historic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which such additional proposed trails would pass and in cooperation with interested interstate, State, and local governmental agencies, public and private organizations, and landowners and land users concerned. The feasibility of designating a trail shall be determined on the basis of an evaluation of whether or not it is physically possible to develop a trail along a route being studied, and whether the development of a trail would be financially feasible. The studies listed in subsection (c) of this section shall be completed and submitted to the Congress, with recommendations as to the suitability of trail designation, not later than three complete fiscal years from the date of enactment of their addition to this subsection, or from November 10, 1978, whichever is later. Such studies, when submitted, shall be printed as a House or Senate document, and shall include, but not be limited to:

(1) the proposed route of such trail (including maps and illustrations);

(2) the areas adjacent to such trails, to be utilized for scenic, historic, natural, cultural, or developmental, purposes;

(3) the characteristics which, in the judgment of the appropriate Secretary, make the proposed trail worthy of designation as a national scenic or national historic trail; and in the case of national historic trails the report shall include the recommendation of the Secretary of the Interior's National Park System Advisory Board as to the national historic significance based on the criteria developed under the Historic Sites Act of 1935 (49 Stat. 666; 16 U.S.C. 461);

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

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

(6) the plans for developing and maintaining the trail and the cost thereof;

(7) the proposed Federal administering agency (which, in the case of a national scenic trail wholly or substantially within a national forest, shall be the Department of Agriculture);

(8) the extent to which a State or its political subdivisions and public and private organizations might reasonably be expected to participate in acquiring the necessary lands in the administration thereof;

(9) the relative uses of the lands involved, including: the number of anticipated visitor-days for the entire length of, as well as for segments of, such trail; the number of months which such trail, or segments thereof, will be open for recreation purposes; the economic and social benefits which might accrue from alternate land uses; and the estimated man-years of civilian employment and expenditures expected for the purposes of maintenance, supervision, and regulation of such trail;

(10) the anticipated impact of public outdoor recreation use on the preservation of a proposed national historic trail and its related historic and archeological features and settings, including the measures proposed to ensure evaluation and preservation of the values that contribute to their national historic significance; and

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

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

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

(c) Routes subject to consideration for designation as national scenic trails

* * * *

(d) Trail advisory councils; establishment and termination; term and compensation; membership; chairman

The Secretary charged with the administration of each respective trail shall, within one year of the date of the addition of any national scenic or national historic trail to the System, and within sixty days of November 10, 1978, for the Appalachian and Pacific Crest National Scenic Trails, establish an advisory council for each such trail, each of which councils shall expire ten years from the date of its establishment. If the appropriate Secretary is unable to establish such an advisory council because of the lack of adequate public interest, the Secretary shall so advise the appropriate committees of the Congress. The appropriate Secretary shall consult with such council from time to time with respect to matters relating to the trail, including the selection of rights-of-way, standards for the erection and maintenance of markers along the trail, and the administration of the trail. The members of each advisory council, which shall not exceed thirty-five in number, shall serve for a term of two years and without compensation as such, but the Secretary may pay, upon vouchers signed by the chairman of the council, the expenses reasonably incurred by the council and its members in carrying out their responsibilities under this section. Members of each council shall be appointed by the appropriate Secretary as follows:

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

(2) a member appointed to represent each State through which the trail passes, and such appointments shall be made from recommendations of the Governors of such States;

(3) one or more members appointed to represent private organizations, including corporate and individual landowners and land users, which in the opinion of the Secretary, have an established and recognized interest in the trail, and such appointments shall be made from recommendations of the heads of such organizations: *Provided*, That the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the Appalachian Trail passes; and

(4) the Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.

(e) Comprehensive national scenic trail plan; consultation; submission to Congressional committees

Within two complete fiscal years of the date of enactment of legislation designating a national scenic trail, except for the Continental Divide National Scenic Trail and the North Country National Scenic Trail, as part of the

system, and within two complete fiscal years of November 10, 1978, for the Pacific Crest and Appalachian Trails, the responsible Secretary shall, after full consultation with affected Federal land managing agencies, the Governors of the affected States, the relevant advisory council established pursuant to subsection (d) of this section, and the Appalachian Trail Conference in the case of the Appalachian Trail, submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the acquisition, management, development, and use of the trail, including but not limited to, the following items:

(1) specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved (along with high potential historic sites and high potential route segments in the case of national historic trails), details of anticipated cooperative agreements to be consummated with other entities, and an identified carrying capacity of the trail and a plan for its implementation;

(2) an acquisition or protection plan, by fiscal year, for all lands to be acquired by fee title or lesser interest, along with detailed explanation of anticipated necessary cooperative agreements for any lands not to be acquired; and

(3) general and site-specific development plans including anticipated costs.

(f) Comprehensive national historic trail plan; consultation; submission to Congressional committees

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

(1) specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved, details of any anticipated cooperative agreements to be consummated with State and local government agencies or private interests, and for national scenic or national historic trails an identified carrying capacity of the trail and a plan for its implementation;

(2) the process to be followed by the appropriate Secretary to implement the marking requirements established in section 1246(c) of this title;

(3) a protection plan for any high potential historic sites or high potential route segments; and

(4) general and site-specific development plans, including anticipated costs.

(As amended Pub. L. 98-11, title II, § 205, Mar. 28, 1983, 97 Stat. 43; Pub. L. 98-405, § 1, Aug. 28, 1984, 98 Stat. 1483.)

REFERENCES IN TEXT

The Historic Sites Act of 1935 (49 Stat. 666; 16 U.S.C. 461), referred to in subsec. (b)(3), which is also known as the Historic Sites, Buildings, and Antiquities Act, is act Aug. 21, 1935, ch. 593, 49 Stat. 666, as amended, which is classified to sections 461 to 467 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

AMENDMENTS

1984—Subsec. (c)(30). Pub. L. 98-405 added par. (30).

1983—Subsec. (a)(11) to (13). Pub. L. 98-11, § 205(a), added pars. (11) to (13).

Subsec. (b). Pub. L. 98-11, § 205(b)(1), added sentence in the provisions preceding par. (1) requiring that the feasibility of designating a trail be determined on the basis of an evaluation of whether or not it is physically possible to develop a trail along a route being studied, and whether the development of a trail would be financially feasible.

Subsec. (b)(3). Pub. L. 98-11, § 205(b)(2), substituted "16 U.S.C. 461" for "U.S.C. 461".

Subsec. (b)(11)(B). Pub. L. 98-11, § 205(b)(3), inserted "exploration," after "commerce," in first sentence.

Subsec. (c)(9). Pub. L. 98-11, § 205(c)(1), substituted "Santa Fe, New Mexico" for "Sante Fe, New Mexico".

Subsec. (c)(24) to (29). Pub. L. 98-11, § 205(c)(2), added pars. (24) to (29).

Subsec. (d). Pub. L. 98-11, § 205(d)(1), in provisions preceding par. (1), added requirement that the Secretary advise the appropriate committees in the Congress if the Secretary is unable to establish an advisory council because of the lack of adequate public interest.

Subsec. (d)(1) to (4). Pub. L. 98-11, § 205(d)(2), redesignated pars. (1) to (iv) as (1) to (4), respectively, and in par. (1) as so redesignated substituted "the head of each Federal department or independent agency administering lands through which the trail route passes, or his designee" for "a member appointed to represent each Federal department or independent agency administering lands through which the trail route passes, and each appointee shall be the person designated by the head of such department or agency".

Subsec. (f)(1). Pub. L. 98-11, § 205(e)(1), (2), substituted "national historic trails" for "national recreational trails".

Subsec. (f)(3), (4). Pub. L. 98-11, § 205(e)(3), added pars. (3) and (4).

§ 1245. Connecting or side trails; establishment, designation, and marking as components of national trails system; location

Connecting or side trails within park, forest, and other recreation areas administered by the Secretary of the Interior or Secretary of Agriculture may be established, designated, and

marked by the appropriate Secretary as components of a national recreation, national scenic or national historic trail. When no Federal land acquisition is involved, connecting or side trails may be located across lands administered by interstate, State, or local governmental agencies with their consent, or, where the appropriate Secretary deems necessary or desirable, on privately owned lands with the consent of the landowner. Applications for approval and designation of connecting and side trails on non-Federal lands shall be submitted to the appropriate Secretary.

(As amended Pub. L. 98-11, title II, § 206, Mar. 28, 1983, 97 Stat. 45.)

AMENDMENTS

1983—Pub. L. 98-11 substituted "marked by the appropriate Secretary as components" for "marked as components" and "or, where the appropriate Secretary deems necessary or desirable, on privately owned lands with the consent of the landowner. Applications for approval and designation of connecting and side trails on non-Federal lands shall be submitted to the appropriate Secretary" for "Provided, That such trails provide additional points of public access to national recreation, national scenic or national historic trails".

§ 1246. Administration and development of national trails system

(a) Consultation of Secretary with other agencies; transfer of management responsibilities; selection of rights-of-way; criteria for selection; notice; impact upon established uses

(1)(A) The Secretary charged with the overall administration of a trail pursuant to section 1244(a) of this title shall, in administering and managing the trail, consult with the heads of all other affected State and Federal agencies. Nothing contained in this chapter shall be deemed to transfer among Federal agencies any management responsibilities established under any other law for federally administered lands which are components of the National Trails System. Any transfer of management responsibilities may be carried out between the Secretary of the Interior and the Secretary of Agriculture only as provided under subparagraph (B).

(B) The Secretary charged with the overall administration of any trail pursuant to section 1244(a) of this title may transfer management of any specified trail segment of such trail to the other appropriate Secretary pursuant to a joint memorandum of agreement containing such terms and conditions as the Secretaries consider most appropriate to accomplish the purposes of this chapter. During any period in which management responsibilities for any trail segment are transferred under such an agreement, the management of any such segment shall be subject to the laws, rules, and regulations of the Secretary provided with the management authority under the agreement, except to such extent as the agreement may otherwise expressly provide.

(2) Pursuant to section 1244(a) of this title, the appropriate Secretary shall select the rights-of-way for national scenic and national historic trails and shall publish notice of the availability of appropriate maps or descriptions in the Federal Register: *Provided*, That in selecting the rights-of-way full consideration shall be given to minimizing the adverse effects upon the adjacent landowner or user and his operation. Development and management of each segment of the National Trails System shall be designed to harmonize with and complement any established multiple-use plans for that specific area in order to insure continued maximum benefits from the land. The location and width of such rights-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting rights-of-way for trail purposes, the Secretary shall obtain the advice and assistance of the States, local governments, private organizations, and landowners and land users concerned.

- (b) Relocation of segment of national, scenic or historic, trail right-of-way; determination of necessity with official having jurisdiction; necessity for Act of Congress

After publication of notice of the availability of appropriate maps or descriptions in the Federal Register, the Secretary charged with the administration of a national scenic or national historic trail may relocate segments of a national scenic or national historic trail right-of-way, with the concurrence of the head of the Federal agency having jurisdiction over the lands involved, upon a determination that: (i) such a relocation is necessary to preserve the purposes for which the trail was established, or (ii) the relocation is necessary to promote a sound land management program in accordance with established multiple-use principles: *Provided*, That a substantial relocation of the rights-of-way for such trail shall be by Act of Congress.

- (c) Facilities on national, scenic or historic, trails; permissible activities; use of motorized vehicles; trail markers; establishment of uniform marker; placement of uniform markers; trail interpretation sites

National scenic or national historic trails may contain campsites, shelters, and related-public-use facilities. Other uses along the trail, which will not substantially interfere with the nature and purposes of the trail, may be permitted by the Secretary charged with the administration of the trail. Reasonable efforts shall be made to provide sufficient access opportunities to such trails and, to the extent practicable, efforts shall be made to avoid activities incompatible with the purposes for which such trails were established. The use of motorized vehicles by the general public along any national scenic trail shall be prohibited and nothing in this chapter shall be construed as authorizing the use of motorized vehicles within the natural and historical areas of the national park system, the national wildlife refuge system, the national wil-

derness preservation system where they are presently prohibited or on other Federal lands where trails are designated as being closed to such use by the appropriate Secretary: *Provided*, That the Secretary charged with the administration of such trail shall establish regulations which shall authorize the use of motorized vehicles when, in his judgment, such vehicles are necessary to meet emergencies or to enable adjacent landowners or land users to have reasonable access to their lands or timber rights: *Provided further*, That private lands included in the national recreation, national scenic, or national historic trails by cooperative agreement of a landowner shall not preclude such owner from using motorized vehicles on or across such trails or adjacent lands from time to time in accordance with regulations to be established by the appropriate Secretary. Where a national historic trail follows existing public roads, developed rights-of-way or waterways, and similar features of man's nonhistorically related development, approximating the original location of a historic route, such segments may be marked to facilitate retracement of the historic route, and where a national historic trail parallels an existing public road, such road may be marked to commemorate the historic route. Other uses along the historic trails and the Continental Divide National Scenic Trail, which will not substantially interfere with the nature and purposes of the trail, and which, at the time of designation, are allowed by administrative regulations, including the use of motorized vehicles, shall be permitted by the Secretary charged with the administration of the trail. The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations, shall establish a uniform marker, including thereon an appropriate and distinctive symbol for each national recreation, national scenic, and national historic trail. Where the trails cross lands administered by Federal agencies such markers shall be erected at appropriate points along the trails and maintained by the Federal agency administering the trail in accordance with standards established by the appropriate Secretary and where the trails cross non-Federal lands, in accordance with written cooperative agreements, the appropriate Secretary shall provide such uniform markers to cooperating agencies and shall require such agencies to erect and maintain them in accordance with the standards established. The appropriate Secretary may also provide for trail interpretation sites, which shall be located at historic sites along the route of any national scenic or national historic trail, in order to present information to the public about the trail, at the lowest possible cost, with emphasis on the portion of the trail passing through the State in which the site is located. Wherever possible, the sites shall be maintained by a State agency under a cooperative agreement between the appropriate Secretary and the State agency.

- (d) Use and acquisition of lands within exterior boundaries of areas included within right-of-way

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

- (e) Right-of-way lands outside exterior boundaries of federally administered areas; cooperative agreements or acquisition; failure to agree or acquire; agreement or acquisition by Secretary concerned; right of first refusal for original owner upon disposal

Where the lands included in a national scenic or national historic trail right-of-way are outside of the exterior boundaries of federally administered areas, the Secretary charged with the administration of such trail shall encourage the States or local governments involved (1) to enter into written cooperative agreements with landowners, private organizations, and individuals to provide the necessary trail right-of-way, or (2) to acquire such lands or interests therein to be utilized as segments of the national scenic or national historic trail: *Provided*, That if the State or local governments fail to enter into such written cooperative agreements or to acquire such lands or interests therein after notice of the selection of the right-of-way is published, the appropriate Secretary may (i) enter into such agreements with landowners, States, local governments, private organizations, and individuals for the use of lands for trail purposes, or (ii) acquire private lands or interests therein by donation, purchase with donated or appropriated funds or exchange in accordance with the provisions of subsection (f) of this section: *Provided further*, That the appropriate Secretary may acquire lands or interests therein from local governments or governmental corporations with the consent of such entities. The lands involved in such rights-of-way should be acquired in fee, if other methods of public control are not sufficient to assure their use for the purpose for which they are acquired: *Provided*, That if the Secretary charged with the administration of such trail permanently relocates the right-of-way and disposes of all title or interest in the land, the original owner, or his heirs or assigns, shall be offered, by notice given at the former owner's last known address, the right of first refusal at the fair market price.

- (f) Exchange of property within the right-of-way by Secretary of the Interior; property subject to exchange; equalization of value of property; exchange of national forest lands by Secretary of Agriculture; tracts lying outside trail acquisition area

(1) The Secretary of the Interior, in the exercise of his exchange authority, may accept title

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

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

- (g) Condemnation proceedings to acquire private lands; limitations; availability of funds for acquisition of lands or interests therein; acquisition of high potential, route segments or historic sites

The appropriate Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to provide passage across such lands: *Provided*, That condemnation proceedings may not be utilized to acquire fee title or lesser interests to more than an average of one hundred and twenty-five acres per mile. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to appropriations from other sources, be available to Federal departments for the acquisition of lands or interests in lands for the purposes of this chapter. For national historic trails, direct Federal acquisition for trail

purposes shall be limited to those areas indicated by the study report or by the comprehensive plan as high potential route segments or high potential historic sites. Except for designated protected components of the trail, no land or site located along a designated national historic trail or along the Continental Divide National Scenic Trail shall be subject to the provisions of section 303 of title 49 unless such land or site is deemed to be of historical significance under appropriate historical site criteria such as those for the National Register of Historic Places.

(h) Development and maintenance of national, scenic or historic, trails; cooperation with States over portions located outside of federally administered areas; cooperative agreements; participation of volunteers; reservation of right-of-way for trails in conveyances by Secretary of the Interior

(1) The Secretary charged with the administration of a national recreation, national scenic, or national historic trail shall provide for the development and maintenance of such trails within federally administered areas and shall cooperate with and encourage the States to operate, develop, and maintain portions of such trails which are located outside the boundaries of federally administered areas. When deemed to be in the public interest, such Secretary may enter written cooperative agreements with the States or their political subdivisions, landowners, private organizations, or individuals to operate, develop, and maintain any portion of such a trail either within or outside a federally administered area. Such agreements may include provisions for limited financial assistance to encourage participation in the acquisition, protection, operation, development, or maintenance of such trails, provisions providing volunteer in the park or volunteer in the forest status (in accordance with the Volunteers in the Parks Act of 1969 [16 U.S.C. 18g et seq.] and the Volunteers in the Forests Act of 1972 [16 U.S.C. 558a et seq.]) to individuals, private organizations, or landowners participating in such activities, or provisions of both types. The appropriate Secretary shall also initiate consultations with affected States and their political subdivisions to encourage—

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

(B) the development and implementation by such entities of provisions for land practices, compatible with the purposes of this chapter,

for property within or adjacent to trail rights-of-way. After consulting with States and their political subdivisions under the preceding sentence, the Secretary may provide assistance to such entities under appropriate cooperative agreements in the manner provided by this subsection.

(2) Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way

for trails to the extent he deems necessary to carry out the purposes of this chapter.

(i) Regulations; issuance; concurrence and consultation; revision; publication; violations; penalties; utilization of national park or national forest authorities

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

(j) Types of trail use allowed

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

(k) Donations or other conveyances of qualified real property interests

For the conservation purpose of preserving or enhancing the recreational, scenic, natural, or historical values of components of the national trails system, and environs thereof as determined by the appropriate Secretary, landowners are authorized to donate or otherwise convey qualified real property interests to qualified organizations consistent with section 170(h)(3) of title 26, including, but not limited

to, right-of-way, open space, scenic, or conservation easements, without regard to any limitation on the nature of the estate or interest otherwise transferable within the jurisdiction where the land is located. The conveyance of any such interest in land in accordance with this subsection shall be deemed to further a Federal conservation policy and yield a significant public benefit for purposes of section 6 of Public Law 96-541.

(As amended Pub. L. 98-11, title II, § 207, Mar. 28, 1983, 97 Stat. 45.)

REFERENCES IN TEXT

The Volunteers in the Parks Act of 1969, referred to in subsec. (h)(1), is Pub. L. 91-357, July 29, 1970, 84 Stat. 472, as amended, which is classified generally to subchapter II (§ 18g et seq.) of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 18g of this title and Tables.

The Volunteers in the Forests Act of 1972, referred to in subsec. (h)(1), probably means the Volunteers in the National Forests Act of 1972, Pub. L. 92-300, May 18, 1972, 86 Stat. 147, as amended, which is classified generally to section 558a et seq. of this title. For complete classification of this Act to the Code, see Short Title note set out under section 558a of this title and Tables.

Section 6 of Public Law 96-541, referred to in subsec. (k), is section 6 of Pub. L. 96-541, Dec. 17, 1980, 94 Stat. 3206, which amended section 170 of Title 26, Internal Revenue Code, and enacted and amended provisions set out as notes under section 170 of Title 26.

AMENDMENTS

1983—Subsec. (a). Pub. L. 98-11, § 207(a), designated existing provisions as par. (2), added par. (1), and in par. (2) substituted "shall publish notice of the availability of appropriate maps or descriptions in the Federal Register" for "shall publish notice thereof in the Federal Register, together with appropriate maps and descriptions".

Subsec. (b). Pub. L. 98-11, § 207(b), inserted "of the availability of appropriate maps or descriptions" after "After publication of notice", and struck out "together with appropriate maps and descriptions," after "Federal Register,".

Subsec. (c). Pub. L. 98-11, § 207(c), added provision that the appropriate Secretary may also provide for trail interpretation sites, which shall be located at historic sites along the route of any national scenic or national historic trail, in order to present information to the public about the trail, at the lowest possible cost, with emphasis on the portion of the trail passing through the State in which the site is located, and that, whenever possible, the sites be maintained by a State agency under a cooperative agreement between the appropriate Secretary and the State agency.

Subsec. (e). Pub. L. 98-11, § 207(d), in the first sentence, substituted "subsection (f) of this section" for "subsection (g) of this section", and added a further proviso authorizing the appropriate Secretary to acquire lands or interests therein from local governments or governmental corporations with the consent of such entities.

Subsec. (f). Pub. L. 98-11, § 207(e), designated existing provisions as par. (1) and added par. (2).

Subsec. (g). Pub. L. 98-11, § 207(f), substituted "Except for designated protected components of the trail, no land or site located" for "No land or site located" in the last sentence.

Subsec. (h). Pub. L. 98-11, § 207(g), designated the first of two sentences of existing provisions as par. (1)

and the last sentence as par. (2); and in par. (1), as so designated, substituted "and maintain any portion of such a trail either within" for "and maintain any portion of a national scenic or national historic trail either within" and added third, fourth, and fifth sentences making provision for the inclusion in written cooperative agreements provisions for limited financial assistance to encourage participation in acquisition, protection, operation, development, or maintenance of trails and for volunteer in the park or volunteer in the forest status, for the initiation of consultations with affected States and their political subdivisions, and for the giving of assistance after consultation under appropriate cooperative agreements.

Subsec. (i). Pub. L. 98-11, § 207(h), added direction that the Secretary responsible for the administration of any segment of any component of the National Trails System also utilize authorities related to units of the national park system or the national forest system in carrying out his administrative responsibilities for such component.

Subsecs. (j), (k). Pub. L. 98-11, § 207(i), added subsecs. (j) and (k).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1244, 1249 of this title.

§ 1247. State and local area recreation and historic trails

- (a) Secretary of the Interior to encourage States, political subdivisions, and private interests; financial assistance for State and local projects

The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act [16 U.S.C. 460l-4 et seq.], needs and opportunities for establishing park, forest, and other recreation and historic trails on lands owned or administered by States, and recreation and historic trails on lands in or near urban areas. The Secretary is also directed to encourage States to consider, in their comprehensive statewide historic preservation plans and proposals for financial assistance for State, local, and private projects submitted pursuant to the Act of October 15, 1966 (80 Stat. 915), as amended [16 U.S.C. 470 et seq.], needs and opportunities for establishing historic trails. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49) [16 U.S.C. 460l et seq.], to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

- (b) Secretary of Housing and Urban Development to encourage metropolitan and other urban areas; administrative and financial assistance in connection with recreation and transportation planning; administration of urban open-space program

The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954 [40 U.S.C. 461], to encourage the plan-

ning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961 [42 U.S.C. 1500 et seq.], to encourage such recreation trails.

(c) Secretary of Agriculture to encourage States, local agencies, and private interests

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

(d) Interim use of railroad rights-of-way

The Secretary of Transportation, the Chairman of the Interstate Commerce Commission, and the Secretary of the Interior, in administering the Railroad Revitalization and Regulatory Reform Act of 1976 [45 U.S.C. 801 et seq.], shall encourage State and local agencies and private interests to establish appropriate trails using the provisions of such programs. Consistent with the purposes of that Act, and in furtherance of the national policy to preserve established railroad rights-of-way for future reactivation of rail service, to protect rail transportation corridors, and to encourage energy efficient transportation use, in the case of interim use of any established railroad rights-of-way pursuant to donation, transfer, lease, sale, or otherwise in a manner consistent with this chapter, if such interim use is subject to restoration or reconstruction for railroad purposes, such interim use shall not be treated, for purposes of any law or rule of law, as an abandonment of the use of such rights-of-way for railroad purposes. If a State, political subdivision, or qualified private organization is prepared to assume full responsibility for management of such rights-of-way and for any legal liability arising out of such transfer or use, and for the payment of any and all taxes that may be levied or assessed against such rights-of-way, then the Commission shall impose such terms and conditions as a requirement of any transfer or conveyance for interim use in a manner consistent with this chapter, and shall not permit abandonment or discontinuance inconsistent or disruptive of such use.

(e) Designation and marking of trails; approval of Secretary of the Interior

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

(As amended Pub. L. 98-11, title II, § 208, Mar. 28, 1983, 97 Stat. 48.)

REFERENCES IN TEXT

The Housing Act of 1961, referred to in subsec. (b), is Pub. L. 87-70, June 30, 1961, 75 Stat. 149, as amended. Title VII of the Housing Act of 1961 was classified generally to chapter 8C (§ 1500 et seq.) of Title 42.

The Public Health and Welfare, and was omitted from the Code pursuant to section 5316 of Title 42 which terminated authority to make grants or loans under such title VII after Jan. 1, 1975. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 12, Banks and Banking, and Tables.

The Railroad Revitalization and Regulatory Reform Act of 1976, referred to in subsec. (d), is Pub. L. 94-210, Feb. 5, 1976, 90 Stat. 31, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 45, Railroads, and Tables.

AMENDMENTS

1983—Subsecs. (d), (e). Pub. L. 98-11, § 208(2), added subsec. (d) and redesignated former subsec. (d) as (e).

§ 1248. Easements and rights-of-way

(a) Authorization: conditions

The Secretary of the Interior or the Secretary of Agriculture as the case may be, may grant easements and rights-of-way upon, over, under, across, or along any component of the national trails system in accordance with the laws applicable to the national park system and the national forest system, respectively: *Provided*, That any conditions contained in such easements and rights-of-way shall be related to the policy and purposes of this chapter.

(b) Cooperation of Federal agencies with Secretary of the Interior and Secretary of Agriculture

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

(Pub. L. 90-543, § 9, Oct. 2, 1968, 82 Stat. 925; Pub. L. 95-91, title III, § 301(b), Aug. 4, 1977, 91 Stat. 577.)

TRANSFER OF FUNCTIONS

Enforcement functions of Secretary or other official in Department of Interior related to compliance with system activities requiring coordination and approval under this chapter and such functions of Secretary or other official in Department of Agriculture, insofar as they involve lands and programs under jurisdiction of that Department, related to compliance with this chapter with respect to pre-construction, construction, and initial operation of transportation system for Canadian and Alaskan natural gas were transferred to the Federal Inspector, Office of Federal Inspector for the Alaska Natural Gas Transportation System, until the first anniversary of date of initial operation of the Alaska Natural Gas Transportation System, see Reorg. Plan No. 1 of 1979, §§ 102(e), (f), 203(a), 44 F.R.

33663, 33666, 93 Stat. 1373, 1376, effective July 1, 1979, set out in the Appendix to Title 5, Government Organization and Employees.

"Secretary of Energy" was substituted for "Federal Power Commission" in subsec. (b) pursuant to Pub. L. 95-91, § 301(b), which is classified to section 7151(b) of Title 42, The Public Health and Welfare.

The Federal Power Commission was terminated and its functions, personnel, property, funds, etc., were transferred to the Secretary of Energy (except for certain functions which were transferred to the Federal Energy Regulatory Commission) by sections 7151(b), 7171(a), 7172(a), 7291, and 7293 of Title 42.

§ 1249. Authorization of appropriations

(a)(1) There are hereby authorized to be appropriated for the acquisition of lands or interests in lands not more than \$5,000,000 for the Appalachian National Scenic Trail and not more than \$500,000 for the Pacific Crest National Scenic Trail. From the appropriations authorized for fiscal year 1979 and succeeding fiscal years pursuant to the Land and Water Conservation Fund Act (78 Stat. 897), as amended [16 U.S.C. 4601-4 et seq.], not more than the following amounts may be expended for the acquisition of lands and interests in lands authorized to be acquired pursuant to the provisions of this chapter: for the Appalachian National Scenic Trail, not to exceed \$30,000,000 for fiscal year 1979, \$30,000,000 for fiscal year 1980, and \$30,000,000 for fiscal year 1981, except that the difference between the foregoing amounts and the actual appropriations in any one fiscal year shall be available for appropriation in subsequent fiscal years.

(2) It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program necessary to insure the protection of the Appalachian Trail within three complete fiscal years following March 21, 1978. Until the entire acquisition program is completed, he shall transmit in writing at the close of each fiscal year the following information to the Committee on Energy and Natural Resources of the Senate and to the Committee on Interior and Insular Affairs of the House of Representatives:

(A) the amount of land acquired during the fiscal year and the amount expended therefor;

(B) the estimated amount of land remaining to be acquired; and

(C) the amount of land planned for acquisition in the ensuing fiscal year and the estimated cost thereof.

(b) For the purposes of Public Law 95-42 (91 Stat. 211), the lands and interests therein acquired pursuant to this section shall be deemed to qualify for funding under the provisions of section 1, clause 2, of said Act [16 U.S.C. 4601-7].

(c)(1) There is hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this chapter relating to the trails designated by section 1244(a)(3), (4), (5), (6), (7), (8), (9), and (10) of this title: *Provided*, That no such funds are authorized to

be appropriated prior to October 1, 1978: *And provided further*, That notwithstanding any other provisions of this chapter or any other provisions of law, no funds may be expended by Federal agencies for the acquisition of lands or interests in lands outside the exterior boundaries of existing Federal areas for the Continental Divide National Scenic Trail, the North Country National Scenic Trail, the Ice Age National Scenic Trail, the Oregon National Historic Trail, the Mormon Pioneer National Historic Trail, the Lewis and Clark National Historic Trail, and the Iditarod National Historic Trail, except that funds may be expended for the acquisition of lands or interests therein for the purpose of providing for one trail interpretation site, as described in section 1246(c) of this title, along with such trail in each State crossed by the trail.

(2) There is hereby authorized to be appropriated for fiscal year 1983 and subsequent fiscal years such sums as may be necessary to implement the provisions of this chapter relating to the trails designated by paragraphs (9) through (13) of section 1244(a) of this title. Not more than \$500,000 may be appropriated for the purposes of acquisition of land and interests therein for the trail designated by section 1244(a)(12) of this title, and not more than \$2,000,000 may be appropriated for the purposes of the development of such trail. The administering agency for the trail shall encourage volunteer trail groups to participate in the development of the trail.

(As amended Pub. L. 98-11, title II, § 209, Mar. 28, 1983, 97 Stat. 48.)

REFERENCES IN TEXT

The Land and Water Conservation Fund Act (78 Stat. 897), as amended, referred to in subsec. (a)(1), probably means the Land and Water Conservation Fund Act of 1965, Pub. L. 88-578, Sept. 3, 1964, 78 Stat. 897, as amended, which is classified generally to part B (§ 4601-4 et seq.) of subchapter LXIX of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4601-4 of this title and Tables.

AMENDMENTS

1983—Subsec. (a)(1). Pub. L. 98-11, § 209(1), (2), inserted "(a)(1)" before "There are hereby authorized to be appropriated" at the beginning of the undesignated opening paragraph, and substituted "for the" for "(a)" The" before "Appalachian National Scenic Trail" at the beginning of former subsec. (a).

Subsec. (a)(2). Pub. L. 98-11, § 209(3), (4), inserted "(2)" before the sentence beginning "It is the express intent of the Congress" and substituted "protection of the Appalachian Trail" for "protection of the Trail".

Subsec. (c). Pub. L. 98-11, § 209(5), designated existing provisions as par. (1), added provision that funds may be expended for the acquisition of lands or interests therein for the purpose of providing for one trail interpretation site, as described in section 1246(c) of this title, and added par. (2).

EFFECTIVE DATE OF APPROPRIATION AUTHORIZATIONS
UNDER PUB. L. 98-11; CONTRACT AUTHORITY

Section 101 of Pub. L. 98-11 provided that: "Authorizations of appropriations under this Act [enacting sections 1250 and 1251 of this title, amending sections 1241 to 1247, and 1249 of this title, and enacting provisions set out as a note under section 1241 of this title] shall be effective only for the fiscal year beginning on October 1, 1983, and subsequent fiscal years. Notwithstanding any other provision of this Act, authority to enter into contracts, and to make payments, under this Act shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts."

§ 1250. Volunteer trails assistance

(a) Volunteer planning, development, maintenance, and management of trails

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

(2) Wherever appropriate in furtherance of the purposes of this chapter, the Secretaries are authorized and encouraged to utilize the Volunteers in the Parks Act of 1969 [16 U.S.C. 18g et seq.], the Volunteers in the Forests Act of 1972 [16 U.S.C. 558a et seq.], and section 4601-8 of this title (relating to the development of Statewide Comprehensive Outdoor Recreation Plans).

(b) Scope of volunteer work

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

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

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

(c) Use of Federal facilities, equipment, tools, and technical assistance

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

(Pub. L. 90-543, § 11, as added Pub. L. 98-11, title II, § 210, Mar. 28, 1983, 97 Stat. 49.)

REFERENCES IN TEXT

The Volunteers in the Parks Act of 1969, referred to in subsec. (a)(2), is Pub. L. 91-357, July 29, 1970, 84 Stat. 472, as amended, which is classified generally to subchapter II (§ 18g et seq.) of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 18g of this title and Tables.

The Volunteers in the Forests Act of 1972, referred to in subsec. (a)(2), probably means the Volunteers in the National Forests Act of 1972, Pub. L. 92-300, May 18, 1972, 86 Stat. 147, as amended, which is classified generally to section 558a et seq. of this title. For complete classification of this Act to the Code, see Short Title note set out under section 558a of this title and Tables.

§ 1251. Definitions

As used in this chapter:

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

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

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

(4) The term "without expense to the United States" means that no funds may be expended by Federal agencies for the development of trail related facilities or for the acquisition of lands or interests in lands outside the exterior boundaries of Federal areas. For the purposes of the preceding sentence, amounts made available to any State or political subdivision under the Land and Water Conservation Fund Act of 1965 [16 U.S.C. 4601-4 et seq.] or any other provision of law shall not be treated as an expense to the United States.

(Pub. L. 90-543, § 12, as added Pub. L. 98-11, title II, § 210, Mar. 28, 1983, 97 Stat. 50.)

REFERENCES IN TEXT

The Land and Water Conservation Fund Act of 1965, referred to in par. (4), is Pub. L. 88-578, Sept. 3, 1964, 78 Stat. 897, as amended, which is classified generally to part B (§ 4601-4 et seq.) of subchapter LXIX of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4601-4 of this title and Tables.

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