

Memorandum of Agreement
between
The National Park Service, Department of the Interior
and
The Forest Service, U.S. Department of Agriculture
concerning
Appalachian National Scenic Trail

This memorandum of agreement is made and entered into by and between the National Park Service and the Forest Service, in furtherance of the Act of October 2, 1968 (82 Stat. 919; 16 U.S.C. 1241).

Whereas the aforesaid act provides that the "Appalachian Trail shall be administered primarily as a footpath by the Secretary of the Interior, in consultation with the Secretary of Agriculture"; and

Whereas an agreement was entered into in May 1969 between the Departments of Agriculture and Interior (1) to establish mutual understandings on general matters pertaining to all operations of the National Trails System involving both Departments and (2) to provide for utilization of an Inter-agency Task Force to assist in the planning, coordination, development, and administration of that System; and

Whereas the said agreement recognizes the need and makes provision for supplemental agreements to cover development and management of specific Trails where two or more agencies are involved; and

Whereas significant portions of the Appalachian National Scenic Trail traverse lands under the separate administrative jurisdictions of the National Park Service and the Forest Service, as well as privately owned lands within the exterior boundaries of units administered by those Services; and

Whereas, it is the desire of the National Park Service and Forest Service to cooperate fully with each other, the Appalachian Trail Conference, the Advisory Council for the Appalachian National Scenic Trail, the affected States, political subdivisions thereof, and private owners in matters relating to administration and development, operation and maintenance of the said Trail (referred to herein as the Trail):

Now, therefore, the parties hereto mutually agree:

1. To cooperate with each other in developing uniform policies as to the location of the Trail corridor across private lands and as to the nature and extent of the interest in lands to be acquired.

It is further understood and agreed that all acquisitions of lands and interests in lands which are undertaken by the Forest Service for Trail purposes shall be reported to the National Park Service. General guidelines or criteria will be developed by those two agencies to determine the amount or proportion of such acquisition costs chargeable to the \$5,000,000 limitation contained in section 10 of the aforesaid Act of October 2, 1968. The

National Park Service shall compile and maintain a record of all appropriated funds expended by Federal agencies for the acquisition of lands or interests in lands for Trail purposes under that act, so that information will be available at all times as to the amounts expended and remaining available under the said statutory limitation.

2. For the purpose of enhancing the Trail environment, to designate zones for segments of the Trail which traverse areas under their separate administration, which zones will range from a minimum width of one hundred feet on each side of the Trail to any greater width necessary to assure maximum retention of the outdoor recreation experience for which the Trail was established. The determinations as to width of these zones will take into account variations in terrain, land cover, land management, scenic and historic points of interests, natural features, cultural qualities, recreational values and other factors that may affect operation, development and maintenance of the Trail. Said zones shall be planned and designated on development or management plans prepared in consultation with the Appalachian Trail Conference. Changes may be made in such zones for the purpose of enhancing the Trail environment, on the basis of the variations referred to above, and such changes shall be subject to consultation with the Conference.

3. To relocate wherever desirable—to the extent that the parties hereto have funds available for this purpose, and after consultation with the Appalachian Trail Conference—those portions of the Trail located on lands under their jurisdiction which lie within one mile of paralleling routes for the passage of motorized transportation.

All relocations of the Trail, including adjustments or alterations of the footpath which do not change either the officially described route of the Trail or the published maps of the Trail, as described and published in the "Federal Register," should be reported to the National Park Service and the Appalachian Trail Conference so that descriptions and maps of the Trail and guidebooks may be revised as necessary. However, if the ultimate change is of such a trivial nature as not to deviate more than 20 feet from the location established at the time of publication of the official Trail route, it need not be so reported.

4. To maintain—to the extent that available funds permit—the portions of the Trail which pass through areas under their separate jurisdiction, in cooperation with the Appalachian Trail Conference.

5. Each party to this agreement shall afford the other party thereto opportunities to review and comment on development plans with a view to harmonizing each others use and development programs for the Trail. Both parties hereto will cooperate with and encourage States, political

subdivisions thereof, landowners, private organizations and individuals, to operate, develop, and maintain portions of the Trail and related Trail facilities. The parties will especially encourage the Appalachian Trail Conference, through local member clubs, to actively participate in the maintenance of the Trail and in the operation, development and maintenance of facilities along the Trail.

6. To erect at appropriate points on lands administered or controlled by them along the Trail, the uniform markers established for the Trail, and to maintain such markers. The erection and maintenance of these markers shall be in accordance with the standards established therefor.

7. To encourage local governments which have the authority to zone private lands adjacent to the Trail rights-of-way within the boundaries of areas under their separate jurisdictions, to control the uses of such properties, offering technical advice and assistance.

8. To cooperate in developing uniform regulations, insofar as possible, for the management, protection, development, administration, and use of segments of the Trail located on Federal lands under their separate jurisdictions, enforcement of which will be carried out by the agency administering

the lands through which the Trail passes; and to encourage the adoption and enforcement of such uniform regulations by other Federal agencies for segments of the Trail they administer, and by States and local agencies for nonfederally owned portions of it.

9. To correlate and coordinate their interpretive activities and programs to avoid duplication in these matters and to assure that the interpretive efforts of each agency will complement those of the other. The National Park Service, as administering agency, will be responsible for developing and publishing any needed maps, brochures, press releases, etc., of a general nature for the entire Trail.

10. To meet from time to time for a discussion of matters of mutual concern affecting administration, development and use of the Trail so as to arrive at ways and means for furthering their cooperative efforts in these matters. Such meetings shall be held between persons or officials at comparable administrative levels.

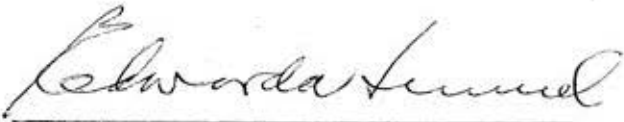
Nothing in this agreement shall affect or interfere with fulfillment of the obligations and rights of the parties hereto to manage the lands and programs administered by them in accordance with their other basic land management responsibilities.

Either party may terminate this agreement by giving six months advance notice in writing to the other and either party may by similar notice to the other seek a modification of the agreement. It is subject to termination or modification at any time without prior notice, by mutual agreement.

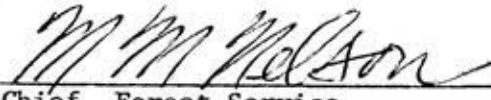
This agreement supersedes "The Appalachian Trailway Agreement" entered into between the National Park Service and the Forest Service on October 15, 1938.

Date:

SEP 22 1970
(SEP 24? 1970)


Acting Director, National Park Service
U.S. Department of the Interior

Date: OCT
October 6, 1970


Acting Chief, Forest Service
U.S. Department of Agriculture