

carry mail from Sacramento to San Francisco, California, to determine the feasibility and suitability of designation of such route as a component of the Pony Express National Historic Trail designated by section 1 of this Act [amending this section]. Upon completion of the study, if the Secretary determines such route is a feasible and suitable addition to the Pony Express National Historic Trail, the Secretary shall designate the route as a component of the Pony Express National Historic Trail. The Secretary shall publish notice of such designation in the Federal Register and shall submit the study along with his findings to the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.”

DE SOTO EXPEDITION TRAIL COMMISSION

Pub. L. 101-607, Nov. 16, 1990, 104 Stat. 3105, established for 4 years in the Department of the Interior the De Soto Expedition Trail Commission, the purpose of which is to encourage and direct research, and to coordinate the distribution of interpretive materials to the public, regarding the De Soto expedition, the native societies the expedition encountered, and the effects of that contact, provided for the functions, staff, and powers of the Commission, and authorized research, technical assistance, and appropriations.

AUTHORIZATION FOR DEVELOPMENT OF TRAILS INTERPRETATION CENTER IN IOWA

Pub. L. 101-191, Nov. 29, 1989, 103 Stat. 1697, authorized Secretary of the Interior to provide for development of a trails interpretation center in city of Council Bluffs, Iowa, set forth provisions relating to Congressional findings and purposes, plan and design of the center and implementation thereof, agreement for operation and maintenance of the center, cooperative agreements for technical assistance, and extinguishment of any restrictions, covenants, reversions, limitations, or any other conditions imposed by the Economic Development Administration upon acceptance of donated land by Secretary, and authorized appropriations of not more than \$3,400,000 to carry out the Act.

SOUTHWESTERN PENNSYLVANIA INDUSTRIAL HERITAGE ROUTE

Pub. L. 100-698, title II, §§201-203, Nov. 19, 1988, 102 Stat. 4622, authorized Secretary of the Interior to designate, and authorized appropriations for, a vehicular tour route to provide for public appreciation, education, understanding, and enjoyment of certain nationally and regionally significant sites in southwestern Pennsylvania.

LEWIS AND CLARK NATIONAL HISTORIC TRAIL INTERPRETIVE CENTER, MONTANA

Pub. L. 100-552, §§1-4, Oct. 28, 1988, 102 Stat. 2766, 2768, authorized Secretary of Agriculture to establish Lewis and Clark National Historic Trail Interpretive Center on certain lands in Montana, required the Secretary to administer the Center and to prepare a plan for development and interpretation of the Center, authorized Secretary to accept donations, enter into cooperative agreements for various services such as rescue, fire-fighting, law enforcement, and development and operation of facilities, authorized Secretary to enter into agreements to provide educational and interpretive materials to the public, and authorized appropriations to carry out the Act and for construction of Center and associated structures and improvements.

NEW JERSEY COASTAL HERITAGE TRAIL ROUTE

Pub. L. 100-515, Oct. 20, 1988, 102 Stat. 2563, as amended by Pub. L. 103-243, May 4, 1994, 108 Stat. 613; Pub. L. 106-18, §1, Apr. 8, 1999, 113 Stat. 28; Pub. L. 109-338, title VII, §703(a), Oct. 12, 2006, 120 Stat. 1859; Pub. L. 110-229, title IV, §475, May 8, 2008, 122 Stat. 827, authorized Secretary of the Interior, acting through Director of National Park Service, with concurrence of agency having

jurisdiction over such roads, to designate a vehicular tour route along existing public roads linking certain nationally significant natural and cultural sites associated with coastal area of State of New Jersey, to be known as New Jersey Coastal Heritage Trail Route; provided for location and additional segments of Route; directed Secretary of the Interior to prepare a comprehensive inventory of sites along Route and a general plan; provided for informational material for public appreciation of sites along Route; provided that Route be marked with appropriate markers; authorized appropriations to carry out the Act; authorized appropriation for technical assistance and design and fabrication of interpretive materials, devices and signs; prohibited use of additional appropriation for operation, maintenance, repair or construction except for construction of interpretive exhibits; limited Federal share of projects carried out with additional appropriation to 50 percent; required non-Federal matching funds in form of cash, materials, or in-kind services, except for preparation of strategic plan; and provided for termination of authority under this Act on Sept. 30, 2011.

LAUREL HIGHLANDS NATIONAL RECREATIONAL TRAIL DESIGNATED AS PART OF POTOMAC HERITAGE TRAIL

Pub. L. 99-500, §101(h) [title I, §113], Oct. 18, 1986, 100 Stat. 1783-242, 1783-262, and Pub. L. 99-591, §101(h) [title I, §113], Oct. 30, 1986, 100 Stat. 3341-242, 3341-262, provided that: “The Secretary of the Interior is directed to designate the Laurel Highlands National Recreational Trail, as designated by the Secretary of the Interior pursuant to section 4 of the National Trails System Act [16 U.S.C. 1243], as part of the Potomac Heritage Trail, as requested by the State of Pennsylvania in its April 1984 application, subject to the provisions of paragraph (11) of section 5(a) of the National Trails System Act, as amended [16 U.S.C. 1244(a)(11)].”

§ 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.

(Pub. L. 90-543, §6, Oct. 2, 1968, 82 Stat. 922; Pub. L. 95-625, title V, §551(16), Nov. 10, 1978, 92 Stat. 3515; 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”.

1978—Pub. L. 95-625 substituted “, national scenic or national historic” for “or national scenic,” and “, national scenic, or national historic” for “or scenic”.

§ 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 na-

tional 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 wilderness 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