

## **APPENDIX B4. MEMORANDUM OF UNDERSTANDING REGARDING THE APPALACHIAN NATIONAL SCENIC TRAIL**

[This memorandum was endorsed in 1987 by the National Park Service, the U.S. Forest Service, the Appalachian Trail Conference, the Smithsonian Institution, and the state resource agencies most closely associated with the Appalachian Trail in each state through which the Trail passes.]

### **Commitments**

It now being the desire of the principal federal, state and private organizations concerned with administration of the Appalachian Trail to commit their organizations to protect and maintain the Trail, as encouraged by the National Trails System Act [16 USC 1246(h)], the undersigned do hereby endorse the concepts for protection and management of the Trail contained in the [Comprehensive Plan for the Protection, Management, Development and use of the Appalachian National Scenic Trail] , particularly as follows:

### **Management Philosophy**

The following statements of principle and policy outline the underlying themes of the Appalachian Trail. They provide background for management of the Trail as a whole. More specific policies and practices based on these general guidelines are contained in management plans for sections of Trail, prepared by trail clubs and government agencies. These guidelines are consistent with the purposes of the Appalachian Trail as part of the National Trails System and with Section 7(h) of the National Trails System Act.

#### **1. Management will be carried out through the Cooperative Management system as defined in the Comprehensive Plan.**

- a) The management system will preserve and strengthen the role of the volunteer, in which rests the "soul" of the Appalachian Trail.
- b) Local partnerships between trail clubs and agencies will be the basic building blocks of the system.
- c) The stewardship of private landowners and the involvement of townspeople along the Trail is an important tradition and will be reflected in the system.
- d) Among cooperating partners, management decisions will be by mutual agreement, to the extent possible.
- e) Management will be decentralized to the extent possible.

#### **2. The Appalachian Trail will be managed to favor those values that have been traditional as goals within the A.T. community.**

- a) The Trail will lie lightly on the land, remaining a simple footpath.
- b) Diversity in appearance of the Trail and related facilities (like bridges, stiles, shelters, and signs) is welcome within established standards.
- c) Management will reflect a sympathetic concern for the special needs of long-distance hikers, while basically maintaining the Trail for hikers of all distances.

- d) Commercial endeavors designed to profit from visitor use are not an acceptable component in the Trail corridor.
- e) Shelters are a tradition along the A.T. and can play an important role in the health and safety of visitors, the social experience of visitors, and protection of the resource. An attempt should be made to provide shelters and-or designated camping areas at regular intervals along the Trail. It may not be feasible to provide such facilities for all users and visitors should be prepared to do without them. Shelter and campground density and design should be primitive and consistent with a sense of the natural.
- f) Care must be exercised, as the Trail is relocated or reconstructed, that its primitive quality is not lost. What are seen as Trail improvements may sometimes be steps in a progressive loss in simplicity of the footpath.

### **3. Diversity in the character and use of Appalachian Trail lands will continue.**

- a) Lands retaining a sense of the wild and primeval will be managed with special concern for these values.
- b) Classified Wilderness Areas will be managed in accordance with the Wilderness Act, other Congressional direction, and specific wilderness management plans. In general, traditional non-motorized Trail maintenance and management practices are consistent with Wilderness designation.
- c) Federal and state lands so designated will continue to be managed for multiple use. Plans for management of these areas will provide for the Trail and resources to be managed to complement each other in a way that will assure continued maximum benefits from the land. Plans should strive for designation of an appropriate management zone(s) surrounding the Trail in which management activities are primarily intended to complement and enhance Trail values.
- d) The Forest Service "Direction Statement for the A.T." of 1977 established policies and guidelines to ensure that management within National Forest areas contributes to a desirable Trail experience. (Subsequently incorporated in Forest Service manual supplements.)
- e) Open areas and vistas are a particularly pleasing element of the A.T. Management activities needed to preserve these characteristics are encouraged, so long as they reflect sensitivity to other Trail values.
- f) Supportive zoning, donation of conservation easements, or voluntary restraint on adjacent private lands will be encouraged where needed to preserve a desirable Trail environment.

### **4. Basic maintenance, construction, and marking will be in accord with standards as defined in the Appalachian Trail manual *Trail Design, Construction, and Maintenance*.**

### **5. Hikers along the Appalachian Trail must be responsible for their own safety and comfort.**

Trail design, construction, and maintenance should reflect a concern for safety without detracting from the opportunity for hikers to experience the wild and scenic lands by their own unaided efforts, and without sacrificing aspects of the Trail that may challenge their skill and stamina. Attempts to provide protection for the unprepared lead to a progressive diminution of the experience available to others.

**6. Managers will foster an unregimented atmosphere and otherwise encourage self-reliance and respect for Trail values by users.**

- a) The A.T. is a means, often the best means, of venturing into and enjoying the Appalachian Mountains domain.
- b) Hiker regulations and signs will be kept as unrestrictive as possible, and should be developed only to the extent they are proven necessary to protect the physical trail, its environment, and the interests of adjacent landowners. (In certain high-use areas along the Trail, the need for regulation has been demonstrated, and the managing partner will give these areas special attention.)
- c. Managers' communications to hikers will be primarily through guidebooks and other literature distributed off the Trail and secondarily through appropriate signs along the Trail.

**7. Incompatible activities will be controlled by educational efforts and, failing this, by enforcement of laws and Trail regulations.**

- a) Appropriate state, federal, and local agencies will see that the purposes of laws and regulations are not neglected within their jurisdictions. Where problems develop, noncoercive solutions--design, education, volunteer ridgerunners of caretakers--are preferred. Enforcement of regulations should not detract, if possible, from the hiking experience and be exercised only in a way that complements and reinforces educational approaches. Where the footpath is within the Appalachian Trail corridor purchased by the National Park Service, or is outside the boundaries of existing public areas, the Trail clubs and their agency partners will work with local law enforcement officials to ensure their understanding of law enforcement needs of the primary emphasis on education.
- b) Management actions will discourage activities that would degrade the Trail's natural and cultural resources or social values, such as use by groups or organizations involved in promotion, sponsorship, or participation in spectator events or competitive activities, or by groups that by their size or commercial interest generate use that is inconsistent with the concept of a simple footpath.

**8. Special issues.**

- a) **Motorized vehicles** are specifically prohibited from the footpath by the National Trails System Act, except in emergencies or where specific crossings for landowners have been arranged. Management plans and actions, using educational efforts or trail design modifications and working with ORV user groups, will aim for the elimination of illegal motorized vehicle use.
- b) **Horseback use** may result in damage to the Trail that is primarily a footpath. In general, horseback use is incompatible with the purposes of the Trail and should be actively discouraged. Riding is limited to those few sections of the Trail that have traditionally accommodated horse use. In areas where equestrian use on or adjacent to the footpath represents a traditional use, management plans and practices should seek to limit conflicts between hikers and equestrians.

- c) **Hunting** near the Trail is legal in many jurisdictions. Safety for hikers during the hunting season can best be pursued through education of hikers and hunters.
- d) In some jurisdictions, more stringent regulations govern the use of the Trail and would apply if duly established and adopted.

**9. The Trail will be continuous in its marking and be open to all to walk upon it.**

**Protection of Trailway**

The objectives of Trailway protection are to assure that the footpath will be continuous, in a desirable location, and that the Trail environment will be adequately buffered from incompatible developments and activities.

Wherever the Trail is inadequately protected, efforts will be made to extend protection with the assistance of state agencies and private conservation organizations and through exchange of surplus government lands and interests in land. Additional interests in land needed for protection of the Trail will be purchased by state agencies, the Forest Service and the National Park Service to the extent appropriations are made available for this purpose.

Cooperation of landowners and local communities will be sought to avoid adverse developments and to take special care to mitigate any negative development impacts.

The undersigned agree that protection and management of the Appalachian Trail according to these principles is a public trust. More detailed agreements related to the differing situations along the Trail are also needed to ensure adequate understandings and the signatories anticipate entering into such agreements. They also recognize the Appalachian National Scenic Trail Advisory Council as the principal mechanism for coordinating policies for the Trail by parties to this agreement and hereby indicate their intention to provide appropriate representatives to the Advisory Council and to give priority to regular attendance at meetings of the Advisory Council.

**Non-Discrimination, Officials Not to Benefit Clauses [Standard Language]**

**Term of Agreement**

The term of this agreement is five years from the last date of signing. At the end of the term, the parties will assess the benefits of the agreement and reaffirm or amend it for a second term.

**Termination and Revision**

This agreement may be terminated upon sixty days advance written notice given by one of the parties to each of the other parties or it may be terminated earlier by consent of all parties. It may be revised at any time by agreement of all parties.