

and administration of any area, land, or interests therein within an estuary and adjacent lands which are owned or thereafter acquired by a State or by any political subdivision thereof: *Provided*, That, with the approval of the Governor of the State involved or of a State agency designated for that purpose, the Secretary may also enter into such an agreement for any particular area whenever the segment of the general study applicable to that area is completed subject to the provisions of subsections (a) and (b) of section 1222 of this title. Such agreement shall, among other things, provide that the State or a political subdivision or agency thereof and the Secretary shall share in an equitable manner in the cost of managing, administering, and developing such areas, and such development may include the construction, operation, installation, and maintenance of buildings, devices, structures, recreational facilities, access roads, and other improvements, and such agreement shall be subject to the availability of appropriations. State hunting and fishing laws and regulations shall be applicable to such areas to the extent they are now or hereafter applicable.

(Pub. L. 90-454, § 3, Aug. 3, 1968, 82 Stat. 627.)

§ 1224. Commercial and industrial development considerations; reports to Congress; recommendations

In planning for the use or development of water and land resources, all Federal agencies shall give consideration to estuaries and their natural resources, and their importance for commercial and industrial developments, and all project plans and reports affecting such estuaries and resources submitted to the Congress shall contain a discussion by the Secretary of the Interior of such estuaries and such resources and the effects of the project on them and his recommendations thereon. The Secretary of the Interior shall make his recommendations within ninety days after receipt of such plans and reports.

(Pub. L. 90-454, § 4, Aug. 3, 1968, 82 Stat. 627.)

§ 1225. State consideration of protection and restoration of estuaries in State comprehensive planning and proposals for financial assistance under certain Federal laws; grants: terms and conditions, prohibition against disposition of lands without approval of the Secretary

The Secretary of the Interior shall encourage States and local subdivisions thereof to consider, in their comprehensive planning and proposals for financial assistance under the Federal Aid in Wildlife Restoration Act (50 Stat. 917), as amended (16 U.S.C. 669 et seq.), the Federal Aid in Fish Restoration Act (64 Stat. 430), as amended (16 U.S.C. 777 et seq.), the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) [16 U.S.C. 4601-4 et seq.], the Commercial Fisheries Research and Development Act of 1964¹ (78 Stat. 197) [16 U.S.C. 779 et seq.], and the Anadromous and Great Lakes Fisheries Conservation Act of October 30, 1965 (79 Stat. 1125) [16 U.S.C. 757a et

seq.], the needs and opportunities for protecting and restoring estuaries in accordance with the purposes of this Act. In approving grants made pursuant to said laws for the acquisition of all or part of an estuarine area by a State, the Secretary shall establish such terms and conditions as he deems desirable to insure the permanent protection of such areas, including a provision that the lands or interests therein shall not be disposed of by sale, lease, donation, or exchange without the prior approval of the Secretary.

(Pub. L. 90-454, § 5, Aug. 3, 1968, 82 Stat. 627.)

REFERENCES IN TEXT

The Federal Aid in Wildlife Restoration Act, as amended, referred to in text, is act Sept. 2, 1937, ch. 899, 50 Stat. 917, as amended, also known as the Pittman-Robertson Wildlife Restoration Act, which is classified generally to chapter 5B (§669 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 669 of this title and Tables.

The Federal Aid in Fish Restoration Act, as amended, referred to in text, is act Aug. 9, 1950, ch. 658, 64 Stat. 430, as amended, also known as the Dingell-Johnson Sport Fish Restoration Act and the Fish Restoration and Management Projects Act, which is classified generally to chapter 10B (§777 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 777 of this title and Tables.

The Land and Water Conservation Fund Act of 1965, referred to in text, 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.

The Commercial Fisheries Research and Development Act of 1964, referred to in text, is Pub. L. 88-309, May 20, 1964, 78 Stat. 197, as amended, which was classified generally to chapter 10D (§779 et seq.) of this title, was repealed by Pub. L. 99-659, title III, §309, Nov. 14, 1986, 100 Stat. 3736.

The Anadromous and Great Lakes Fisheries Conservation Act of October 30, 1965, referred to in text, probably means the Anadromous Fish Conservation Act, Pub. L. 89-304, Oct. 30, 1965, 79 Stat. 1125, as amended, which is classified generally to sections 757a to 757g of this title. For complete classification of this Act to the Code, see Short Title note set out under section 757a of this title and Tables.

§ 1226. Federal agency authority to carry out Federal project within an estuary unaffected

Nothing in this chapter shall be construed to affect the authority of any Federal agency to carry out any Federal project heretofore or hereafter authorized within an estuary.

(Pub. L. 90-454, § 6, Aug. 3, 1968, 82 Stat. 628.)

CHAPTER 27—NATIONAL TRAILS SYSTEM

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| Sec. | |
| 1241. | Congressional statement of policy and declaration of purpose. <ul style="list-style-type: none"> (a) Considerations for determining establishment of trails. (b) Initial components. (c) Volunteer citizen involvement. |
| 1242. | National trails system. <ul style="list-style-type: none"> (a) Composition: recreation trails; scenic trails; historic trails; connecting or side trails; uniform markers. (b) Extended trails. |
| 1243. | National recreation trails; establishment and designation; prerequisites. |

¹ See References in Text note below.

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| <p>Sec.
1244.</p> | <p>National scenic and national historic trails.</p> <p>(a) Establishment and designation; administration.</p> <p>(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.</p> <p>(c) Routes subject to consideration for designation as national scenic trails.</p> <p>(d) Trail advisory councils; establishment and termination; term and compensation; membership; chairman.</p> <p>(e) Comprehensive national scenic trail plan; consultation; submission to Congressional committees.</p> <p>(f) Comprehensive national historic trail plan; consultation; submission to Congressional committees.</p> | <p>Sec.</p> <p>(i) Regulations; issuance; concurrence and consultation; revision; publication; violations; penalties; utilization of national park or national forest authorities.</p> <p>(j) Types of trail use allowed.</p> <p>(k) Donations or other conveyances of qualified real property interests.</p> |
| <p>1245.</p> | <p>Connecting or side trails; establishment, designation, and marking as components of national trails system; location.</p> | <p>1247.</p> |
| <p>1246.</p> | <p>Administration and development of national trails system.</p> <p>(a) Consultation of Secretary with other agencies; transfer of management responsibilities; selection of rights-of-way; criteria for selection; notice; impact upon established uses.</p> <p>(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.</p> <p>(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.</p> <p>(d) Use and acquisition of lands within exterior boundaries of areas included within right-of-way.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> | <p>State and local area recreation and historic trails.</p> <p>(a) Secretary of the Interior to encourage States, political subdivisions, and private interests; financial assistance for State and local projects.</p> <p>(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.</p> <p>(c) Secretary of Agriculture to encourage States, local agencies, and private interests.</p> <p>(d) Interim use of railroad rights-of-way.</p> <p>(e) Designation and marking of trails; approval of Secretary of the Interior.</p> |
| <p>1248.</p> | <p>Easements and rights-of-way.</p> <p>(a) Authorization; conditions.</p> <p>(b) Cooperation of Federal agencies with Secretary of the Interior and Secretary of Agriculture.</p> <p>(c) Abandoned railroad grants; retention of rights.</p> <p>(d) Location, incorporation, and management.</p> <p>(e) Release and quitclaim; conditions; sale; proceeds.</p> <p>(f) "Conservation system unit" and "public lands" defined.</p> | <p>1249.</p> |
| <p>1250.</p> | <p>Volunteer trails assistance.</p> <p>(a) Volunteer planning, development, maintenance, and management of trails.</p> <p>(b) Scope of volunteer work.</p> <p>(c) Use of Federal facilities, equipment, tools, and technical assistance.</p> | <p>1251.</p> |
| <p>1251.</p> | <p>Definitions.</p> | <p>CHAPTER REFERRED TO IN OTHER SECTIONS</p> <p>This chapter is referred to in section 460iii-5 of this title; title 43 section 2302.</p> |

§ 1241. Congressional statement of policy and declaration of purpose

(a) Considerations for determining establishment of trails

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) 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