

FAQ about the potential National Scenic Trail designation for the Alaska Long Trail

Prepared by Alaska Trails, 10/10/2024

Timeline of the feasibility study:

January 2023 - President signs the Appropriations bill that includes \$1M for the BLM to conduct the National Scenic Trail feasibility study for the Alaska Long Trail

Fall 2023 - BLM hires firm Logan Simpson to conduct the feasibility study

Spring-Summer 2024 - BLM/Logan Simpson conduct public feedback process with 5 in-person meetings and 3 virtual meetings, along with the interactive map portal for collecting public input on the proposed route.

Fall 2024 - BLM/Logan Simpson is conducting interviews with public land managers to collect their input on the proposed route.

Winter 2024/25 - BLM/Logan Simpson will release the first draft study for public feedback (no recommendation will be made at that time)

Fall 2025 - BLM will submit the final study (including a recommendation) to the Congress.

COMMON CONCERNS	RESPONSES
The designation will negatively impact our state.	Benefits of AKLT NST designation: besides offering a competitive economic benefit from increased world-wide recognition, National Scenic Trails receive federal funding for maintenance and administration. Since the Alaska Long Trail's proposed route passes through many of Alaska's most used outdoor spaces, the designation would open up funding to address the existing demand on our trails infrastructure.
The trail is governed by the NTS Act, one size fits all regulations.	National Trails System (NTS) Act gets amended every time a new trail gets designated, with specific language about that trail. NTS Act offers a lot of flexibility. Additionally, the NTS Act only provides guidance for federally managed lands, while nonfederal managers are not obligated to follow that guidance.

<p>Management plans will be created AFTER the designation</p>	<p>The Comprehensive Trail Management Plan is typically developed within 2 years after the designation. The Plan is coordinated by the federal agency administering the trail and is developed with the collaboration and involvement of major land managers, landowners and stakeholders along the trail. It is a good thing that the Plan will take time and have robust stakeholder involvement.</p>
<p>Key areas were bypassed with poor advertisement, inclusiveness and comprehensiveness</p>	<p>BLM and their contractor Logan Simpson sent out 18000 postcards to landowners in the trail corridor, as well as set up meetings with land managers and local governments. Additionally, they conducted 5 in-person and 3 online meetings. Several articles in the ADN and Fairbanks Newsminer covered the NST process and informed the public. BLM sends out monthly newsletters to all who subscribe to their list to be informed about the study.</p>
<p>NTS Act prohibits motorized use, Secretary of Interior or Secretary of Agriculture will have to approve</p>	<p>The Secretaries of Interior or Agriculture only have jurisdiction over the appropriate federal lands. They have no jurisdiction over any non-federal lands. The Act's language refers to federal lands because it addresses federal entities, while stating that non-federal land managers and landowners will enter into voluntary collaboration. Pages 29-30 (items (e) and (h)) of the National Trails System Act talk about management of trail segments on non-federal lands.</p> <p>While National Scenic Trails are primarily non-motorized, section 7(c) of the National Trails System Act lists several exceptions to this and gives a significant amount of latitude to local land managers and the administering agency for determining what use policies are appropriate for which trail sections. This practice can be seen in other National Scenic Trails, for example the Continental Divide Trail: about 23% of the nearly 3,100 miles of the CDT are multi-use trail systems that include motorized use. Every time a new national trail is added to the system, the NTS Act gets amended with specific language about that trail. The Continental Divide NST is written in the Act with specific permissions for motorized use along the trail. Nothing precludes the Alaska Long Trail to be written into the Act with a similar language.</p>
<p>Violations are punished severely</p>	<p>Section 7(i) of the National Trails System Act is the only place where the Act mentions any violations, and it specifically talks about federal lands ONLY. Quote: "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</p>

	<p>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 \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment.“</p>
<p>Federal involvement can undermine local control</p>	<p>The NST designation itself does not put special restrictions on land use. Land use policies are set by land managers (for example, municipalities, boroughs, state and federal agencies) that oversee specific trail segments. No federal agency takes control over any non-federal lands if a trail is designated. The management policies of existing segments do not get changed with the designation, and the management policies of future segments get decided by corresponding land managers (boroughs, municipalities, state agencies, etc). See Section 7 (e-h) of the NTS Act.</p>
<p>70% of CDT was motorized in the past, now only 23% - did the motorized segments become nonmotorized?</p>	<p>Response from CDT Alliance, August 2024: “The reason for the change in those numbers is that the CDT was moved off of motorized routes- there was not any 'redesignation' of allowable uses on the trail/public lands as a result of the CDT being designated. Any section of the trail that was motorized pre-designation of the CDT was considered "grandfathered" in and motorized use was allowed to continue, and those sections still exist today. Any land use changes that did occur (likely a small fraction of a percentage) would have had to be from the land manager for some different reason, as the CDT designation does not give any sort of standing/enforcement to change routes from motorized to nonmotorized, especially on the grandfathered-in routes. The CDT has just moved off the majority of those routes to keep in the nature and purposes from the National Trail System Act and Comp. Plan.”</p>
<p>Eminent domain will be invoked by the federal government to appropriate private land</p>	<p>From “Willing Seller” section, page 126 in Reference Manual 45 – National Trails System: “When the NTSA was first passed in 1968 it initially established two trails – the Appalachian and Pacific Crest NSTs. As a result, section 7(g) was made applicable to both trails and authorized the use of eminent domain as a last resort when all other means of trail corridor protection has failed. This was one of the most controversial aspects of the Act during Congressional hearings when it was being considered in 1967. The issue raised its head 10 years later when a new wave of trails was being considered for addition in the Act, and as things turned out, most of the trails added in 1978 and 1980 were not only prohibited from using this eminent domain authority, they were denied use of any</p>

	<p>federal funds at all to protect the trail corridor (with one minor exception). Starting in 1983, newly established NSTs and NHTs enjoyed (but seldom used) a compromise authority called the “willing seller” clause. Although there are variations, the basic language in each trail’s establishment clause stated: <i>No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the United States for the trail except with the consent of the owner of the land or interest in land.</i> “</p>
<p>Connecting and side trail corridors can be ¼ mile on either side</p>	<p>That depends on the land manager’s land use policies.</p>

REFERENCES:

- 1) [National Trails System Act](#)
- 2) [Reference Manual 45 – National Trails System](#)
- 3) [Alaska Long National Scenic Trail | Bureau of Land Management \(blm.gov\)](#)
- 4) [National Scenic Trail designation | Alaska Trails \(alaska-trails.org\)](#)