



ATC Conservation and Trail Management Guidance on Law Enforcement and Proprietary Jurisdiction

The Appalachian Trail Conservancy (ATC), a §501(c)(3) nonprofit organization, works closely with Appalachian Trail volunteer maintaining clubs (“Clubs”) and other public and private partners to ensure the protection and stewardship of the natural, cultural, and experiential resources of the Appalachian National Scenic Trail (known as ANST, A.T., or “the Trail”). Approximately fifty federal, state, or other public agencies have authority or jurisdiction over lands and resources within the protected A.T. corridor. ATC has a central management role by virtue of its Cooperative Agreement with the USDI National Park Service and its close working partnership with the USDA Forest Service and other agencies.

Overview

A key element of an appropriate law enforcement is jurisdiction— the power or right to exercise authority over or administer the law in an area. For Emergency Planning and Coordination see ATC’s policy on that topic; generally, emergency planning and coordination should always consider primary involvement of local emergency responders.

For law enforcement, state, and local jurisdictions retain their authorities and responsibilities for response to emergencies on the Appalachian Trail. The vast majority of federally acquired A.T. lands—including acquired National Park Service lands and all national forest lands—are under proprietary jurisdiction.

Under this form of federal jurisdiction, the United States, as owner, exercises all the rights of a private party. In addition, commissioned rangers of the National Park Service or U.S. Forest Service may legally enforce federal regulations. The police and emergency powers of the states should be exercised in connection with illegal acts of private persons to the same extent as they are exercised on privately owned lands, using state and local laws and regulations. States may not enforce federal regulations except to the extent that those regulations have been adopted by state legislatures.

For questions related to this policy please contact the Appalachian Trail Conservancy at www.appalachiantrail.org, or P.O. Box 807, Harpers Ferry, WV, 25425-807.

The Appalachian Trail Conservancy’s mission is to protect, manage, and advocate for the Appalachian National Scenic Trail.