

NPS “Unit” Status Fact Sheet

National Trails System

Current Status

- Three (3) National Scenic Trails—Appalachian, Potomac Heritage, and Natchez Trace—are recognized and counted as units of the National Park System.
- The other three (3) National Scenic Trails—North Country, Ice Age, and New England—are not recognized or counted as units of the National Park System.
- All 16 National Historic Trails administered by the NPS are not recognized or counted as units of the National Park System.

Equivalence of Unit and Non-unit Trails

- All of the trails have superintendents and staff.
- All of the trails have line-item entries in the Operation of the National Park System budget account.
- The non-unit trails have potential access to most of the NPS budget accounts and programs.
- The NPS can utilize all authorities relating to units of the National Park System in administering National Scenic and National Historic Trails. [NTS Act, section 7(i)]
- Trail volunteers can be recognized as NPS Volunteer-in-Parks, and compensated for injuries and protected from tort liability. [NTS Act, sections 7(h) and 11(a)(2)]

Disparities for the Non-unit Trails

- They are not counted in the 397 units in the National Park System.
- They are at a disadvantage for funding opportunities and are often excluded from park grants.
- They are not shown on the National Park System brochure. Nor does NPS include their brochures in the Informational Folder program, so they must produce and print their brochures out of their own “park” budgets.
- Historic structures on NPS-owned trail properties cannot be included in the List of Classified Structures.
- They are not recognized or included in the National Park Service statistics on the Service’s “About Us” website, even though other “non-unit” entities (e.g. National Heritage Areas) are.
- They are not recognized by key NPS partners, such as the National Park Foundation, to the same degree as the 397 “units.”
- Although the trails have some of the largest volunteer programs in the National Park Service, they are not recognized in the NPS Volunteers-in-Parks brochure as the “unit” trails are.
- The non-unit trails are excluded from the NPS’ primary and publicly-promoted portfolio, even though they represent some of the largest natural, cultural, and recreational facilities for which the NPS is administratively responsible. For example, the Ice Age NST displays more information about climate change than any other park area.
- They are excluded from promotional events, such as the National Christmas Tree displays.

Myths vs. Facts

There are no clear or consistent reasons, legal or policy-wise, for why these trails are not units, but three other NSTs are. Over the years, a number of mythical “reasons” have been offered to try to explain this difference. Every one of them can be shown to be true of one or more of the three NSTs that are units as well as true of some of the “traditional” units of the System.

- MYTH: The laws that define the National Park System in 16 USC 1 exclude such areas.
FACT: This is false. Those who attempt to make this claim are forced to resort to using definitions and criteria from the 1953 law that were removed in 1970 by the General Authorities Act.
- MYTH: Congress did not designate them as units.
FACT: This is true of all six NSTs administered by NPS. The legislation establishing the vast majority of the areas administered by NPS does not address “unit” status. “Unit” status is an administrative decision by the NPS.
- MYTH: Making these trails “units” of the National Park System would create jurisdictional and management conflicts where they traverse other Federal lands, such as National Forests.
FACT: False. Section 7(a) of the National Trails System Act addresses and precludes such conflicts. If this were a real issue and problem, it would have already arisen along the Appalachian NST.
- MYTH: Making these trails units of the National Park System would have the effect of imposing Federal regulations (36 CFR) on the use of state and local government lands and private lands that make up parts of the trail routes.
FACT: False. But for a very few exceptions, NPS regulations in 36 CFR only apply to NPS-owned lands and not any other lands that are within a “unit.”
- MYTH: These NSTs are not “units” because the NPS does not own any land along them “in the name of the trail.”
FACT: There is no validity to using this as a discriminating factor. Even though it once was true that the NPS owned no land along the Ice Age NST, it is no longer true. The NPS purchased a 157-acre “interpretive site” along the trail in 2002. This is a land base larger than the authorized acreage of 101 units of the National Park System.
- MYTH: Although the Appalachian NST is a “unit” of the National Park System, it is a special case with different authorities under the National Trails System Act. It is not a comparable example to the other NSTs becoming “units” of the National Park System.
FACT: The Appalachian NST and all other NSTs have the same legal status under the National Trails System Act.
- MYTH: NPS ownership along these trails does not meet a certain (undefined) threshold.
FACT: The 1970 General Authorities Act removed NPS ownership of lands as a criterion in defining the National Park System.

Evaluated against the criteria outlined in a June 9, 1989, NPS memorandum concerning “units” and “affiliated areas,” these NSTs clearly meet the criteria for “units.”

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