



ORDER NO.2008-02

**ORDER OF THE FOREST SUPERVISOR
OCCUPANCY AND USE, TO WIT:
APPALACHIAN TRAIL WITHIN THE
WHITE MOUNTAIN NATIONAL FOREST - NEW HAMPSHIRE and MAINE**

Under the authority of the Act of Congress dated June 4, 1897, as amended (16 U.S.C. 551), and pursuant to the Secretary of Agriculture's Regulations set forth as 36 CFR Part 261, Subpart B (36 CFR 261.50(a) and (b)), the following acts and omissions are prohibited on the Appalachian National Scenic Trail within the White Mountain National Forest located in Carroll, Coos and Grafton Counties of New Hampshire, said trail being described and designated as shown on the map set forth at Exhibit A which is attached hereto and made a part hereto:

1. Using a bicycle or motorized vehicle EXCEPT while crossing the trail on another route where such use is permitted. (36 CFR 261.55(b))
2. Possessing or using a saddle, pack or other draft animal EXCEPT dogs and except while crossing the trail on another route where such use is permitted. (36 CFR 261.55(c))

THESE RESTRICTIONS ARE NECESSARY FOR PUBLIC SAFETY AND TO PROTECT NATIONAL FOREST PROPERTY. THEY ARE IN ADDITION TO THE GENERAL PROHIBITIONS SET FORTH IN 36 CFR PART 261. THE PROHIBITION WILL BE IN EFFECT FROM THE DATE OF THIS ORDER UNTIL SPECIFICALLY WITHDRAWN BY TERMINATION ORDER OF THE FOREST SUPERVISOR.

Pursuant to the provisions of 36 CFR 261.50(e), the following persons are exempt from this order:

1. Persons with permit specifically authorizing the otherwise prohibited act or omission (36 CFR 261.50(e)(1)); and,
2. Any Federal, State, or local officer, or member of any organized rescue or fire fighting force in the performance of an official duty (36 CFR 261.50(e)(4))

Violation of these prohibitions is punishable by a fine of not more than \$5000.00 for an individual or \$10,000.00 for an organization, or imprisonment for not more than six (6) months, or both (16 U.S.C., 18 U.S.C. 3559 and 3571).

Dated this 4th day of May 2009 at Laconia, New Hampshire.

/S/ Thomas G Wagner
Thomas G. Wagner
Forest Supervisor
White Mountain National Forest

Attachment 1

Rationale for prohibiting the use of horses, pack stock, bicycles, and motor vehicles on the Appalachian Trail

The management of the Appalachian National Scenic Trail is the responsibility of the US Department of the Interior, National Park Service in accordance with the National Trails System Act (16 USC 1241). Section 7 (a) (1) (B) of the Act authorizes the transfer of management of specified trail segments to the US Department of Agriculture, Forest Service. Trail segments managed by the Forest Service are subject to the rules and regulations of the Forest Service. In order to protect the nature of the trail and the trail surface itself National Park Service regulations (36 CFR 7.100) prohibit the use of motorized vehicles, horses, pack stock, and bicycles on the Appalachian Trail with some limited exceptions. This order has been established in order to maintain consistency with these prohibitions on the portions of the Appalachian Trail managed by the White Mountain National Forest.

EXHIBIT A

**MAP OF APPALACHIAN TRAIL ON THE WHITE MOUNTAIN NATIONAL
FOREST**

Exhibit A

Appalachian Trail Motorized Use and Pack Animal Prohibition

