

**Bureau of Land Management, Interior**

**§ 8351.2-1**

**PART 8350—MANAGEMENT AREAS**

**Subpart 8351—Designated National Area**

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AUTHORITY: 16 U.S.C. 1241, 16 U.S.C. 1271, 43 U.S.C. 1701 *et seq.*

SOURCE: 43 FR 40736, Sept. 12, 1978, unless otherwise noted.

**Subpart 8351—Designated National Area**

**§ 8351.0-1 Purpose.**

To provide procedures for the management of lands administered under provisions of the Wild and Scenic Rivers Act and the National Trails System Act.

**§ 8351.0-2 Objective.**

To assure that all public lands administered under provisions of the Wild and Scenic Rivers Act and the National Trails System Act are managed in a manner consistent with the purposes of these Acts.

**§ 8351.0-3 Authority.**

The Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 *et seq.*).

The National Trails System Act of 1968 (16 U.S.C. 1241 *et seq.*).

**§ 8351.0-6 Policy.**

(a) Hiking, horse riding, and motor trails shall be located, constructed, and maintained where they are found to be feasible and would improve recreation opportunity and quality. Established trails shall be marked or signed and made known to the public by other means.

(b) Certain rivers and sections of rivers that are flowing free of the influence of dams or other major man-made alterations and that possess outstanding scenic, recreational, geological, biological, cultural, or historical features shall be preserved as free flowing streams. The immediate river area

shall be managed to protect the natural, cultural, or historical features that make the river or river segment outstanding.

**§ 8351.1 National trails systems.**

**§ 8351.1-1 National scenic trails.**

(a) *Motorized vehicle use.* No one shall operate a motorized vehicle along a national scenic trail except:

(1) When motorized vehicular use is necessary to meet emergencies involving health, safety, fire suppression, or law enforcement; or

(2) Where the authorized officer determines that adjacent landowners and land users have a need for reasonable access to their lands, interests in lands, or timber rights; or

(3) On roads that are designated segments of the National Scenic Trail System and are posted as open to motorized vehicles.

(b) *Penalties.* In accordance with section 7(i) of the National Trails System Act of 1968, as amended (16 U.S.C. 1246), anyone convicted of violating this regulation is subject to a fine not to exceed \$500 and/or imprisonment not to exceed six months.

[47 FR 23103, May 26, 1982]

**§ 8351.2 Rivers.**

**§ 8351.2-1 Special rules.**

(a) The authorized officer may issue written orders which close or restrict the use of the lands and water surface administered by the Bureau of Land Management within the boundary of any component of the National Wild and Scenic River System when necessary to carry out the intent of the Wild and Scenic Rivers Act. Each order shall:

(1) Describe the lands, road, trail or waterway to which the order applies;

(2) Specify the time during which the closure or restriction applies;

(3) State each prohibition which is applied; and

(4) Be posted in accordance with paragraph (d) of this section.

(b) A written order may exempt any of the following persons from any of the prohibitions contained in the order:

(1) Persons with written permission authorizing the otherwise prohibited

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act or omission. The authorized officer may include in any written permission such conditions considered necessary for the protection of a person, or the lands or water surface and resources or improvements located thereon.

(2) Owners or lessees of property within the boundaries of the designated wild and scenic river area.

(3) Residents within the boundaries of the designated wild and scenic river area.

(4) Any Federal, State, or local government officer or member of an organized rescue or fire suppression force in the performance of an official duty.

(5) Persons in a business, trade or occupation within the boundaries of the designated wild and scenic river area.

(c) The violation of the terms or conditions of any written permission issued under paragraph (b)(1) of this section is prohibited.

(d) Posting is accomplished by:

(1) Placing a copy of an order in each local office having jurisdiction over the lands affected by the order; and

(2) Displaying each order near and/or within the affected wild and scenic river area in such locations and manner as to reasonably bring the prohibitions contained in the order to the attention of the public.

(e) When provided by a written order, the following are prohibited:

(1) Going onto or being upon land or water surface;

(2) Camping;

(3) Hiking;

(4) Building, maintaining, attending or using a fire;

(5) Improper disposal of garbage, trash or human waste;

(6) Disorderly conduct; and

(7) Other acts that the authorized officer determines to be detrimental to the public lands or other values of a wild and scenic river area.

(f) Any person convicted of violating any prohibition established in accordance with this section shall be punished by a fine of not to exceed \$500 or by imprisonment for a period not to exceed 6 months, or both, and shall be adjudged to pay all costs of the proceedings.

(16 U.S.C. 1281(c), 16 U.S.C. 3)

[45 FR 51741, Aug. 4, 1980]

**43 CFR Ch. II (10-1-03 Edition)**

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AUTHORITY: 43 U.S.C. 1701 *et seq.*, 43 U.S.C. 315a, 16 U.S.C. 1281c, 16 U.S.C. 670 *et seq.*, 16 U.S.C. 460l-6a, 16 U.S.C. 1241 *et seq.*

SOURCE: 48 FR 36384, Aug. 10, 1983, unless otherwise noted.

**Subpart 8360—General**

**§ 8360.0-3 Authority.**

The regulations of this part are issued under the provisions of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*), the Sikes Act (16 U.S.C. 670g), the Taylor Grazing Act (43 U.S.C. 315a), the Wild and Scenic Rivers Act (16 U.S.C. 1281c), the Act of September 18, 1960, as amended, (16 U.S.C. 877 *et seq.*), the Land and Water Conservation Fund Act (16 U.S.C. 460l-6a) and the National Trails System Act (16 U.S.C. 1241 *et seq.*).