



## THE ROAD AHEAD PARTNERSHIP

### Route 66 & National Historic Trails FAQ

#### 1) Why does the Route 66 Road Ahead Steering Committee recommend pursuing National Historic Trail (NHT) designation instead of reauthorizing the Route 66 Corridor Preservation Program (CPP) again?

Renewing the CPP in 2019 would only provide another 10 years for the program while the NHT would be a permanent federal designation for Route 66 that could provide many of the same functions as the CPP. In addition, people with legislative experience feel seeking designation as part of an established program will have a greater chance of success than a stand-alone program such as the CPP.

#### 2) What is a National Historic Trail?

National Historic Trails (NHTs) are travel routes that were originally established by historic use, and have been determined to be of national significance because of that use, meet the criteria under the National Trails System Act (NTSA), and have been designated by Congress through an amendment to the NTSA.

#### 3) Does Route 66 meet the National Historic Trail designation criteria?

Yes. The National Park Service Route 66 Special Resource Study (1995) determined that it does meet the National Historic Trail criteria and this is one of the first steps in establishing a National Historic Trail. Designation also requires an Act of Congress to add the trail to the National Trails System.

#### 4) How many other National Historic Trails are there, and how do they compare to Route 66?

Route 66 has many similarities to the other long distance historic transportation routes that have already been designated as National Historic Trails in terms of the length of the route, though Route 66 is the only one that would commemorate modern motorized traffic. There are 19 designated NHTs across the country that range in length from 54 miles (Selma to Montgomery) to 5,665 miles (California). Five existing NHTs are longer than Route 66. Three NHTs pass through more states than Route 66. All Route 66 states have other existing NHTs. Refer to the chart of National Historic Trails for more information about other National Historic Trails.

#### 5) How can Route 66 be a National Historic Trail if it has paved roads instead of trails?

Many historic trails followed the roads of the day, while in some cases travelers forged new routes and created the trail. They just were not paved back then. The Santa Fe "Trail," during its historic period, was called a "road" or in New Mexico a "camino" by the people using it. Travelers almost never used the word "trail." The Trail of Tears followed the existing roads of the day through the states they crossed. Some Trail of Tears and Lewis and Clark routes followed rivers. Many "historic trails" followed earlier routes used by American Indians. Some trails were used only once, but on some, like the Oregon Trail and the Santa Fe Trail, early users created a "road" that was then followed by later users. Trails interpreting more recent history such as the Selma to Montgomery National Historic Trail are entirely on paved roads, although technically the folks who established this route as a "historic trail" walked the highway. Some segments of national historic trails continued to be used locally after the trail period. Some are still in use today as paved highways. Most NHTs also include Auto Tour routes along highways that closely follow the historic route. These routes are signed when possible so people can follow the trail by car to access historic sites. There is no rule for NHTs about how people establish and use a trail. Everyone on the Pony Express Trail rode horses. On the Lewis and Clark trail they traveled by boat, foot and horse. Many people on trails like the Santa Fe Trail and Oregon Trail walked, but some rode in wagons or on horses or mules. After 1850, there was regular stagecoach travel on the Santa Fe Trail. Route 66 would commemorate modern motorized traffic, the history of modern road development and resources that are used today as

they were used during the period of significance (pavement, gas stations, motels, etc.).

#### **6) What happens to the Route 66 Corridor Preservation Program if Route 66 became a NHT?**

Securing NHT designation could allow the CPP to transition into a NHT to secure a permanent federal designation that allows many of the same services in the CPP to continue after 2019. The CPP is authorized through 2019 and currently the National Park Service has a line item in its overall budget of almost \$300,000 for the Route 66 Corridor Preservation Program. That funding could be used to provide the annual budget for a Route 66 National Historic Trail if the trail is administered by the National Park Service.

#### **7) Are there other permanent Federal designations that could be used for Route 66?**

The idea here is to identify a permanent federal program that would benefit the entire length of Route 66. Because of its length and complicated ownership, Route 66 would not meet the criteria for designation as a National Park or Monument. Some sections of Route 66 are already designated National Scenic Byways including one segment in Arizona designated as an All American Road (AAR). Unfortunately, as the National Scenic Byways Program (NSBP) no longer has funding for grants, financial support is no longer available. Additionally, NSBP grants were for projects along byways, not for annual support. Route 66 could be designated as a National Heritage Area, although while the designation is permanent the funding sunsets after a specified period of time. The only permanent designation that could provide recurring annual funding and federal agency staff for Route 66 is a National Historic Trail.

#### **8) What federal agency should administer the Route 66 National Historic Trail?**

While other federal agencies administer some of the NHTs, there are several reasons why the NPS is the most logical federal agency for a Route 66 National Historic Trail. The NPS has been involved with Route 66 for many years, first during the completion of the Route 66 Special Resource Study and later as the agency in charge of the Route 66 Corridor Preservation Program. During that time, the NPS staff working on Route 66 have developed strong partnerships with organizations, businesses, and individuals along the route and has developed a large amount of knowledge about the history and resources of Route 66. NPS staff are well respected along the route. No other federal agency has that depth of experience and knowledge. And, as noted above, the NPS currently has funding that could provide the initial budget for a Route 66 NHT.

#### **9) How long does it take to get a National Historic Trail designated?**

It depends. While this varies from trail to trail, most have taken several years before they are designated. Trails that do not have strong grassroots or Congressional support tend to take longer.

#### **10) How does NHT designation affect private property rights along the corridor?**

National Historic Trail designation will not affect private property rights. Trail designation does not give the administering agency (such as the NPS) any authority over lands not owned by that agency. Landowners along the route retain all legal authority to manage their property. Property owners who want to participate in NHT programs can choose to sign a non-binding agreement to work with the agency and others towards the goals of the trail, but they retain the right to cancel that agreement at any time. All recently designated trails prohibit the government from acquiring any land without the consent of the landowner. As Route 66 itself consists of roads that are already a public right of way rather than a trail that runs through private land, there would be no need for land acquisition as part of this designation.

### **11) Will NHT designation create new restrictions for state Departments of Transportation (DOTs)?**

NHT designation does not add any new burdens to a DOT. The National Park Service already works with many state DOTs on issues such as trail signage along active roadways. NHT status does not result in additional applicability of Section 106 of the National Historic Preservation Act, Section 4(f) of the Department of Transportation Act, or NEPA. If there is federal funding from any source (including NHT or the CPP) then Section 106 and NEPA might be triggered. As most highway projects already involve federal funding nothing really changes by making Route 66 a NHT.

### **12) Will designation of Route 66 as a National Historic Trails add new, burdensome rules/regulations that require permits for development or transportation projects, to hold events, activities or to take commercial photos or do filming for commercial purposes, such as those noted in the Code of Federal Regulations [CFR]?**

No. The basic concept here is legal jurisdiction and the designation of a National Historic Trail does not change who has legal jurisdiction over any lands/resources along the route. The CFR would only apply to non-federal land if the owner signs a cooperative agreement that specifically stated they wanted such. Most cooperative agreements the NPS has developed on trails have been for the purpose of providing limited funding for specific projects and do not include any clause relating to jurisdiction. Most Route 66 resources are owned and managed by states, counties, cities, highway departments, etc. and private landowners. It may be theoretically possible that, for some reason, one of these entities might request entering into a cooperative agreement in which they would give the NPS some jurisdiction over their property. However, it is unlikely NPS would actually want to accept such responsibility, as trails offices lack the staffing, funding, and the expertise to enforce the CFR, especially since any such resources are likely to be many miles from the NPS office.

### **13) Where can I find more information about National Historic Trails?**

More information about the National Trails System can be found at [www.nps.gov/nts/](http://www.nps.gov/nts/). This link includes information about existing scenic and historic trails, a map of the National Trails system, information about how to establish a National Trail, and information about the legislation for the National Trails System Act.

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Information provided by John Conoboy with assistance from the National Trust for Historic Preservation on behalf of the Route 66 Road Ahead Steering Committee  
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