

**148.874 Pine Mountain State Scenic Trail -- Boundaries -- Connecting or side paths -- Support facilities -- Limit to nonmotorized uses -- Cemeteries and burial grounds.**

- (1) There is hereby designated a linear state park, the boundaries of which shall be determined by the department in accordance with this section known as the Pine Mountain State Scenic Trail, a trail of approximately one hundred twenty (120) miles in length, located exclusively within the boundaries of Kentucky beginning along the border of Kentucky and Virginia at or near Breaks Interstate Park, and extending generally south-southwest along the crest of Pine Mountain to the vicinity of Pine Mountain State Resort Park and continuing south to the Cumberland Gap National Park on the vicinity thereof. Insofar as practicable, the boundaries of the trail from the Breaks Interstate Park to Bad Branch State Nature Preserve shall be a one thousand (1,000) foot corridor, the center of which shall be the crest of Pine Mountain, to the extent that the corridor does not encroach upon the territory of the Commonwealth of Virginia. Insofar as practicable, the boundaries of the trail from the Bad Branch State Nature Preserve to the Pine Mountain State Resort Park shall be a corridor one hundred (100) to two hundred fifty (250) feet along the level top of Pine Mountain. The route of the trail from Pine Mountain State Resort Park to Cumberland Gap National Park shall be a corridor no wider than two hundred fifty (250) feet to be determined by the department. Notwithstanding these boundary limitations, the department may through negotiations with the land owner acquire additional land outside the boundary limitations. The trail shall be depicted on the "Pine Mountain State Scenic Trail Map," which shall be on file and available for public inspection in the office of the commissioner of the department. The trail map shall delineate those portions of the trail that are owned or leased by the Commonwealth or on which the Commonwealth has obtained an easement and shall be updated periodically solely for the purpose of reflecting additions to those specific areas.
- (2) The department may designate connecting or side paths which shall provide additional points of public access to the trail or access to points of interest, and which shall be of the same scenic nature as the trail, except that connecting or side paths shall not be acquired through eminent domain.
- (3) Because of its extended length, the department may supplement the trail by support facilities located on certain designated parts of the trail or outside the trail. These support facilities may include, as the department deems necessary and feasible, primitive shelters, fireplaces, safe water supplies, and other related public-use facilities that shall meet department standards. No open wood fires shall be permitted on the trail except in areas with support facilities specifically designated for that purpose.
- (4) The trail shall be a state scenic trail, so chosen because of its unique location. It shall be limited to foot use and other nonmotorized uses as permitted on segments where deemed appropriate by the department, and as set forth in KRS 148.878.
- (5) The department shall, no later than June 30, 2003, determine the boundaries of the trail. In determining the boundaries of the trail the department shall not encroach

upon any privately owned dwelling, or areas designated for residential structures and their surrounding properties, but shall route the trail around a privately owned dwelling or areas designated for a residential structure.

- (6) The department shall not acquire through eminent domain any cemetery or its surrounding property which is designated as a cemetery or burial ground on July 15, 2002.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 87, sec. 3, effective July 15, 2010. -- Created 2002 Ky. Acts ch. 118, sec. 3, effective July 15, 2002.