

VII. FACTORS AFFECTING PARKWAY USE AND MANAGEMENT

LEGAL PROVISIONS

In Chapter 118, Public Acts of 1945, the Tennessee Legislature reserved certain rights for the State when conveying rights-of-way to the Federal Government for Parkway construction, namely:

- (a) The right to levy and collect privilege taxes;
- (b) That no tolls or fees for use of the parkway were to be charged by the Federal Government.
- (c) The right to serve criminal and civil process within the area so conveyed and to punish all violations of State laws committed on the parkway. This includes traffic laws.

This act created an impasse as the Commissioner of Highways was authorized to convey titles to the Federal Government only after the Parkway had been built, while the Federal Government could not lawfully build a road upon land it did not own.

Chapter 146, Public Acts of 1947, provided that when a contract in writing had been entered into between the State Commissioner of Highways and the proper agency of the Federal Government, binding the latter to construct the parkway, the Commissioner could then convey title to the United States.

This Act also abolished the prohibition of toll charges, except that no toll or use charges could be levied upon that portion of the parkway between the towns of Pigeon Forge and Gatlinburg.

A fourth Act of the Tennessee Legislature (Chapter 163, Public Acts of 1963) affects that portion of the parkway between Pigeon Forge and Gatlinburg, known as the "Gatlinburg Spur." This Act provides, in substance, that:

- (a) The State of Tennessee will accept a reconveyance of the "Gatlinburg Spur" and
- (b) Permit the closing of Tennessee 73 and U.S. 441 within the park to commercial traffic when Interstate 40 is opened to traffic between Newport, Tennessee and its junction with U.S. 19 near Waynesville, North Carolina.

Jurisdiction

The Foothills Parkway, by Act of Congress, is an integral part of the Great Smoky Mountains National Park and subject to all of the rules and regulations pertaining thereto. On May 17, 1967, the State of Tennessee rendered exclusive criminal jurisdiction over the Foothills Parkway to the Federal Government.

On Green Mountain, eastern section of the parkway, the road traverses a portion of the Nolichucky District of Cherokee

National Forest. The transfer of administrative jurisdiction from the Forest Service to the National Park Service has been authorized by the Congress.

Land Acquisition

When all land acquisition for the Foothills Parkway is completed by the State, including the mileage and acreage for that portion of Section 8A which crosses Forest Service lands, the Parkway will be 71.1 miles long and have a total acreage of 8,835.39. This does not include the Spur nor access connections. (The total length and acreage of the Parkway is subject to change during construction due to adjustments that may become necessary in the sections yet to be constructed). No scenic easements are involved in any of the parkway lands.

Land Status - (January 1970)

<u>Sections</u>	<u>Mileage</u>	<u>Acres</u>
8A	3.87	663.76
8A (Forest Service Portion)	1.66	209.41
8A (Slide Correction)		2.85
8B	14.14	1,770.03
8E2	4.78	571.16
8F	5.96	567.14
8G	10.20	1,284.00
8H	6.86	959.23

<u>Sections</u>	<u>Mileage</u>	<u>Acres</u>
8C	(see below)	
8D	(see below)	
8E1	(see below)	
	<hr/>	<hr/>
	47.47	6,027.58
	State in possession of plans	
8C	9.58	995.59
8D	9.79	1,284.00
8E1	4.93	531.75
	<hr/>	<hr/>
	24.30	2,811.34
	<hr/> <hr/>	<hr/> <hr/>
	Total	71.77
		8,838.92

All figures are f.

The New Entrance Road (Gatlinburg Bypass) is now a part of the Great Smoky Mountains National Park road system and therefore is not included with land status for the Foothills Parkway.

Route 15A 223.44 acres

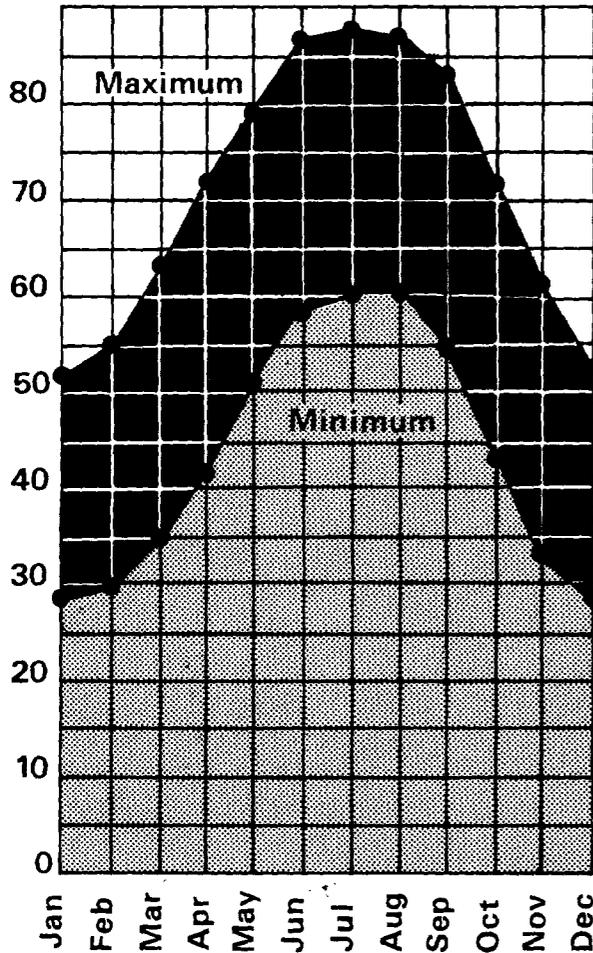
From the Official
Weather Station in
Gatlinburg, Tenn.

Elevation 1454 Feet
Years 1921 - 1966

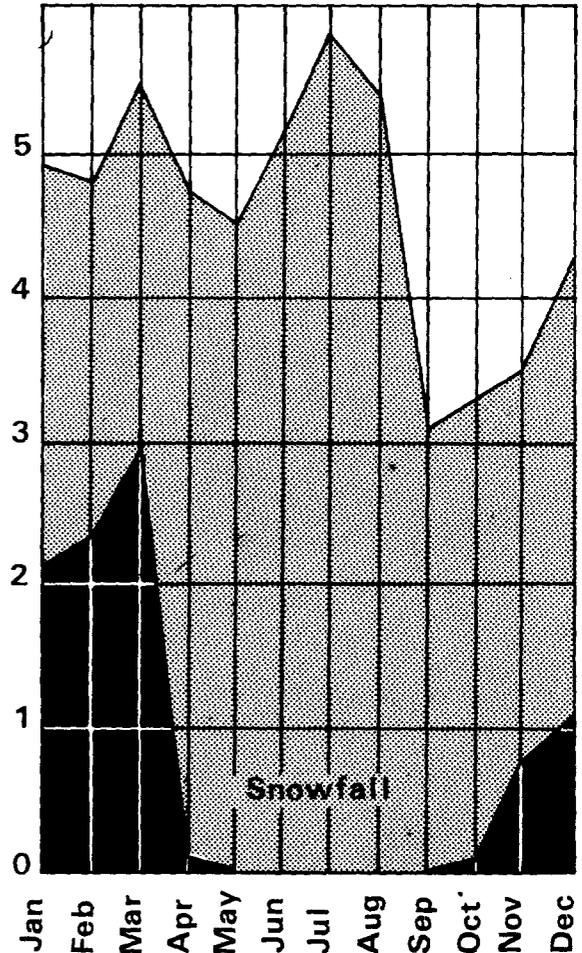
MEAN TEMPERATURES

Highest 106° June 1936

Lowest -13° Feb 1958



NORMAL PRECIPITATION



Season Normal 53.8 Inches
Maximum 24 Hours 4.02 Inches

MICROFILM

WEATHER DATA
605/20,025

CLIMATE

Due to variations in elevation along the parkway, conditions may vary significantly during late fall, and early spring. Look Rock, Rocky Mountain, Webb Mountain, Green Mountain areas can be expected to have freezing over a longer period of time than areas at lower elevations. Snowfall accumulation and duration can be expected at higher elevations. Although most of the parkway has a southern exposure, some short sections will have a north where temperature and snow conditions may vary significantly the roadway exposed to the south.

Fog occasionally envelops the parkway and restricts in certain sections. There are no known locations where conditions persist, but most fogs during summer will be at the higher elevations.

Construction can generally be carried on from late October to late November, an interval of about 250 days. Temperature about 3 degrees Fahrenheit for each 1,000-foot rise in elevation.

Precipitation

The relatively high precipitation which occurs along the parkway, particularly during the months of June and July, tends to reduce the number of days suitable for construction where trenching and earth-moving operations are involved.

Average rainfall for Gatlinburg is 54 inches. Snowfall will present very few snow-removal problems.

Wind

Air currents generally follow the drainage pattern, cool air drifting downward at night, and warm air rising from the valleys during the day. Severe storms are infrequent, and blizzard conditions have not been recorded during the past 40 years. High winds frequently occur along the more exposed slopes and hail storms occasionally damage crops in the vicinity of the parkway.

FIRE HISTORY

As the entire parkway is either adjacent or close to settled agricultural lands, the hazard of forest fires is high. The entire area traversed by the parkway has been burned over at one time or another. There are two "fire seasons" annually -- the longer and more hazardous one extending from mid-February to early May. A shorter season in the fall extends from mid-October through November.

Occasional lightning fires occur on ridge tops during the summer months. These are generally confined to relatively small areas.

TERRAIN AND SOILS

The terrain is rough and varied, consisting of narrow valleys, river gorges, and steep, wooded mountainsides having outcrops of sandstone and shale. Elevations vary from 857 feet above sea level at the parkway's southern terminus on the Little Tennessee River to approximately 2,600 feet at Look Rock, Webb Mountain, and Green Mountain.

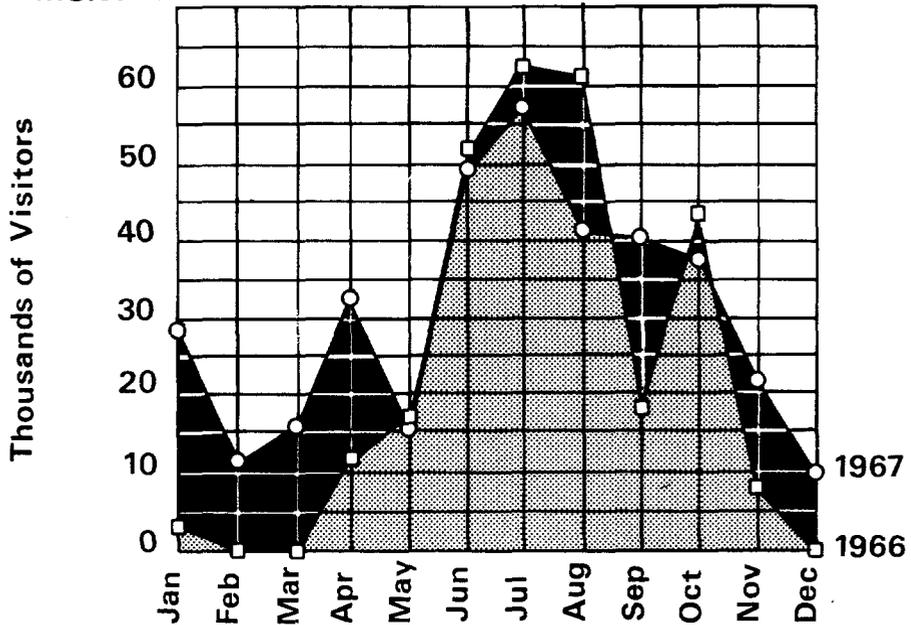
The generally shallow soil consists of clay and decomposed shale. The sandstone, particularly in the Chilhowee Mountain area, quickly decomposes upon exposure to the weather and presents serious construction and post-construction problems. Geological faults and fractures are common. Frost penetration is negligible, the water table is close to the surface, and the soil's permeability varies from moderate to poor. These, combined with the steep slopes, tend to cause flooding at lower elevations during periods of heavy or protracted rainfall.

VISITOR USE

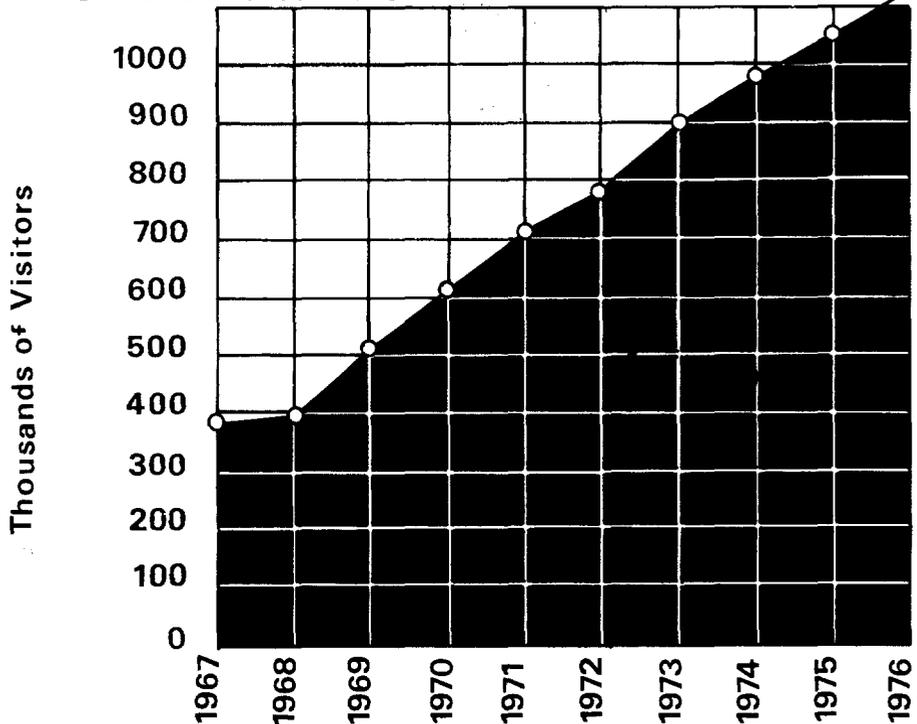
The Foothills Parkway serves two roles, one as a major scenic parkway and the other as a supplement to the Great Smoky Mountains National Park road system.

Activities offered to the parkway visitor are recreational driving, sightseeing, photography, picnicking, and camping, in this order of their anticipated relative use.

MONTHLY VISITATION



PROJECTED VISITATION



LOOK ROCK CAMPGROUND	1966	-	24 418
VISITOR USE	1967	-	21 45
	1968		

VISITOR STATISTICS

During the summer months, the weekend picnic and camping use of the parkway is principally by visitors living within a half-day's drive, while the weekday use is more generally visitors from some greater distance.

Completed sections of the parkway now open for public use include the 17 1/2-mile section from S.R. 72 at Chilhowee Reservoir to the Walland Interchange with S.R. 73 and a 5 1/2-mile section from Interstate 40 to the Cosby Interchange with S.R. 32. A number of current users of the parkway are local residents of the Knoxville, Maryville, and Oak Ridge area, making afternoon pleasure drives over the loop road system from Maryville on 73, down the parkway to the Chilhowee Reservoir and returning to Maryville via S.R. 72, U.S. 129, and U.S. 411.

It is anticipated that the travel records for the parkway use will continue to increase proportionally as additional sections of the parkway are opened and connected to existing well-traveled road systems.

TVA's Tellico Dam Project, a few miles south of the parkway's southern terminus, will serve as an added attraction to people of the large urban population centers in the East.

COMPLEMENTARY RECREATION FACILITIES

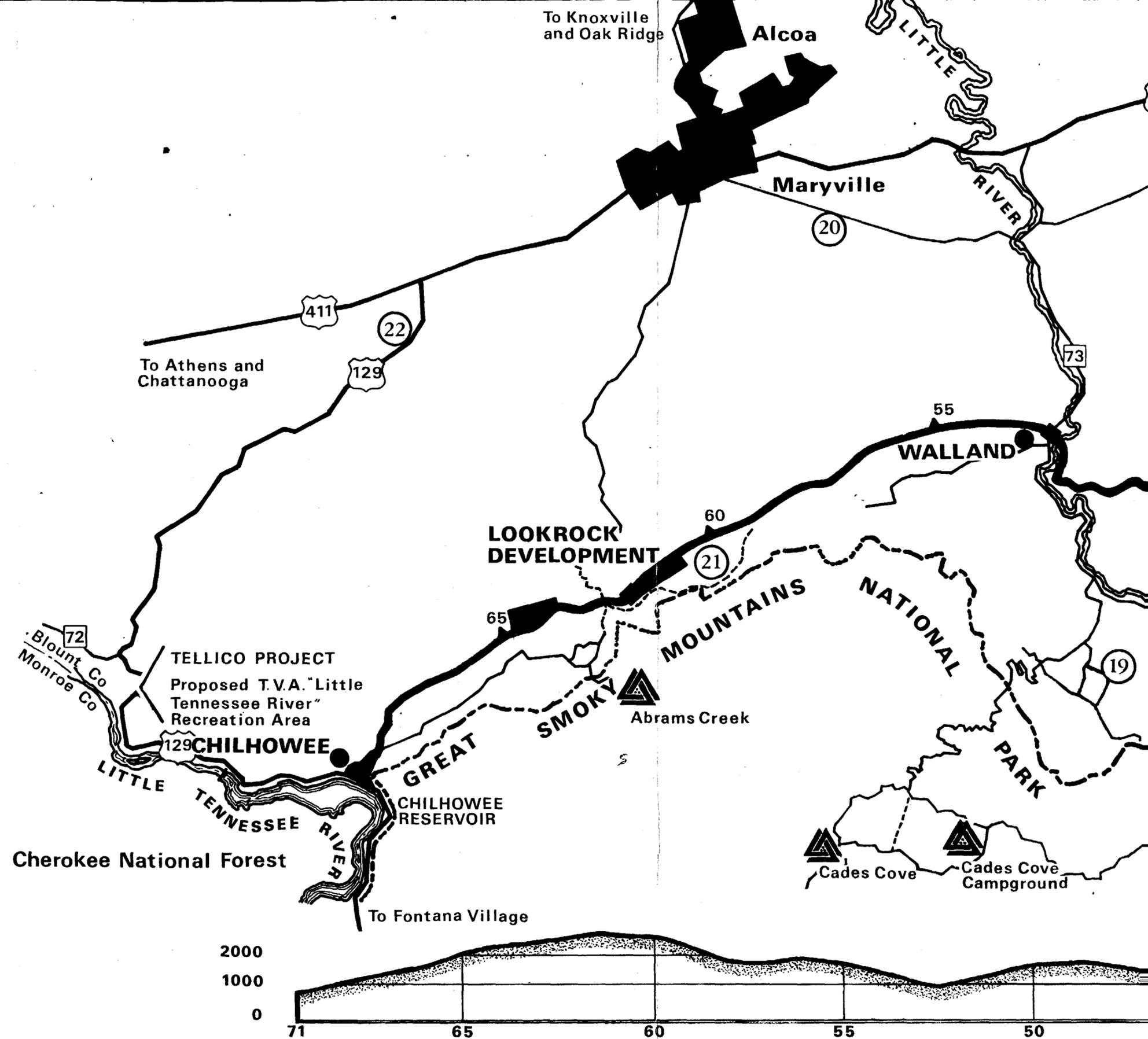
Camping and Picnicking Facilities in the Tennessee Portion of the Great Smoky Mountains National Park

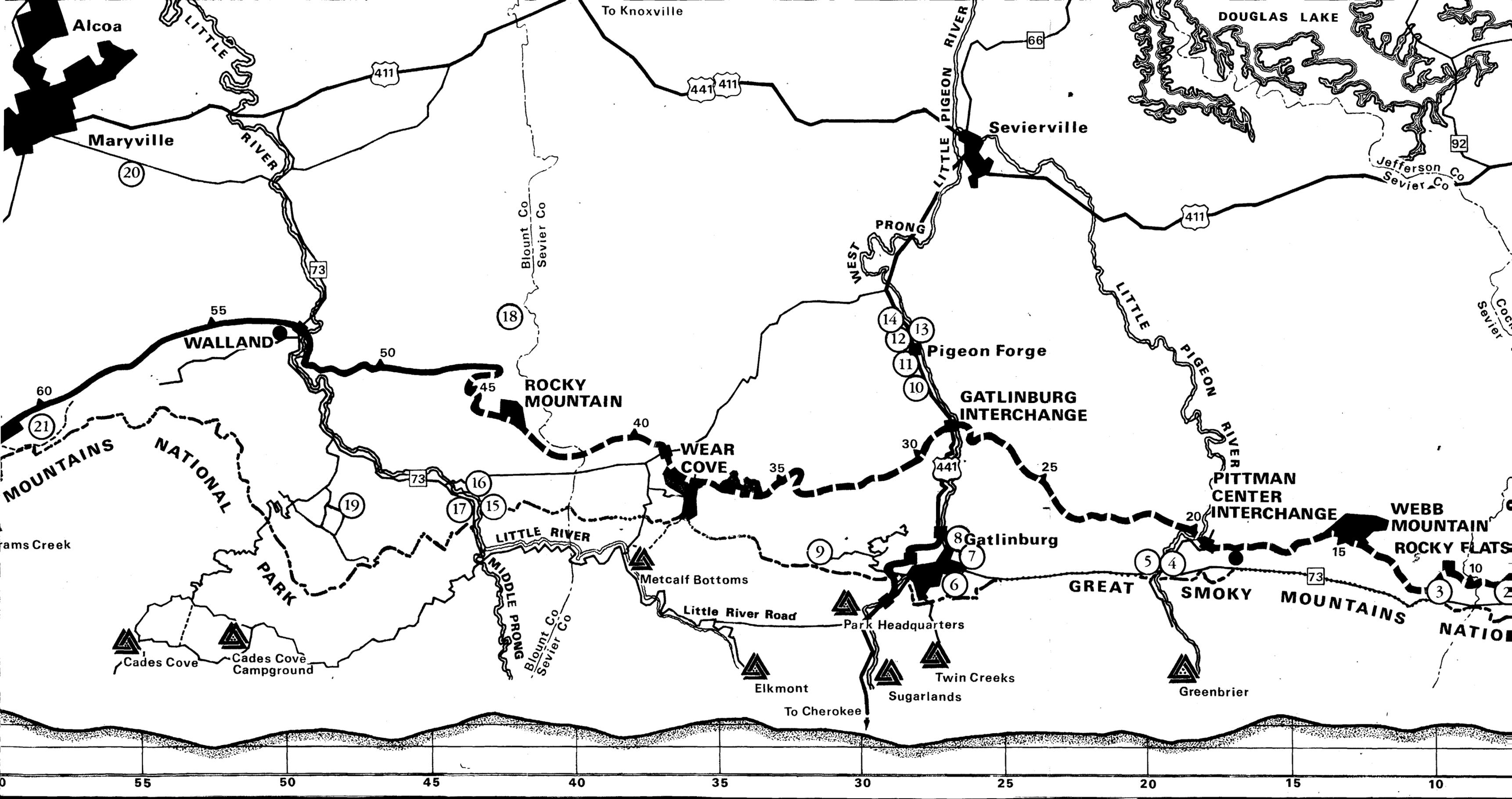
Name of Park Developed Area	Camping		Picnicking	
	Existing	Proposed	Existing	Proposed
Cosby	230		100	
Greenbrier	12	400		200
Sugarlands				500
Elkmont	370			500
Metcalf Bottoms			200	
Cades Cove	224	150	84	
Abrams Creek	20	300		100
Chimneys (not shown on map)	80		11	91
Tremont (not shown on map)				100
Total Sites in Tenn. Portion	936	850	395	1491

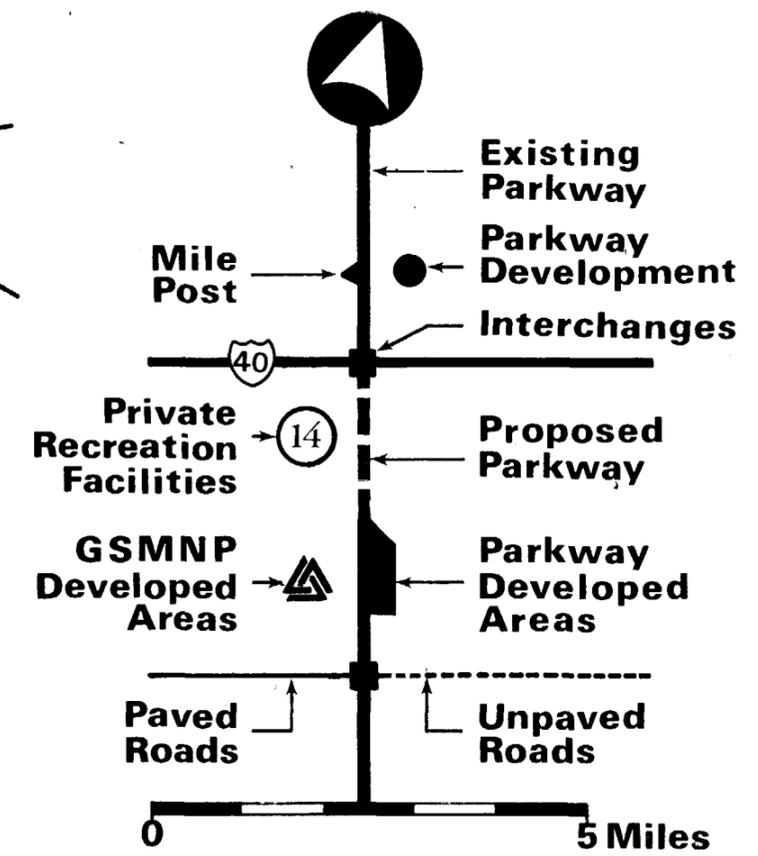
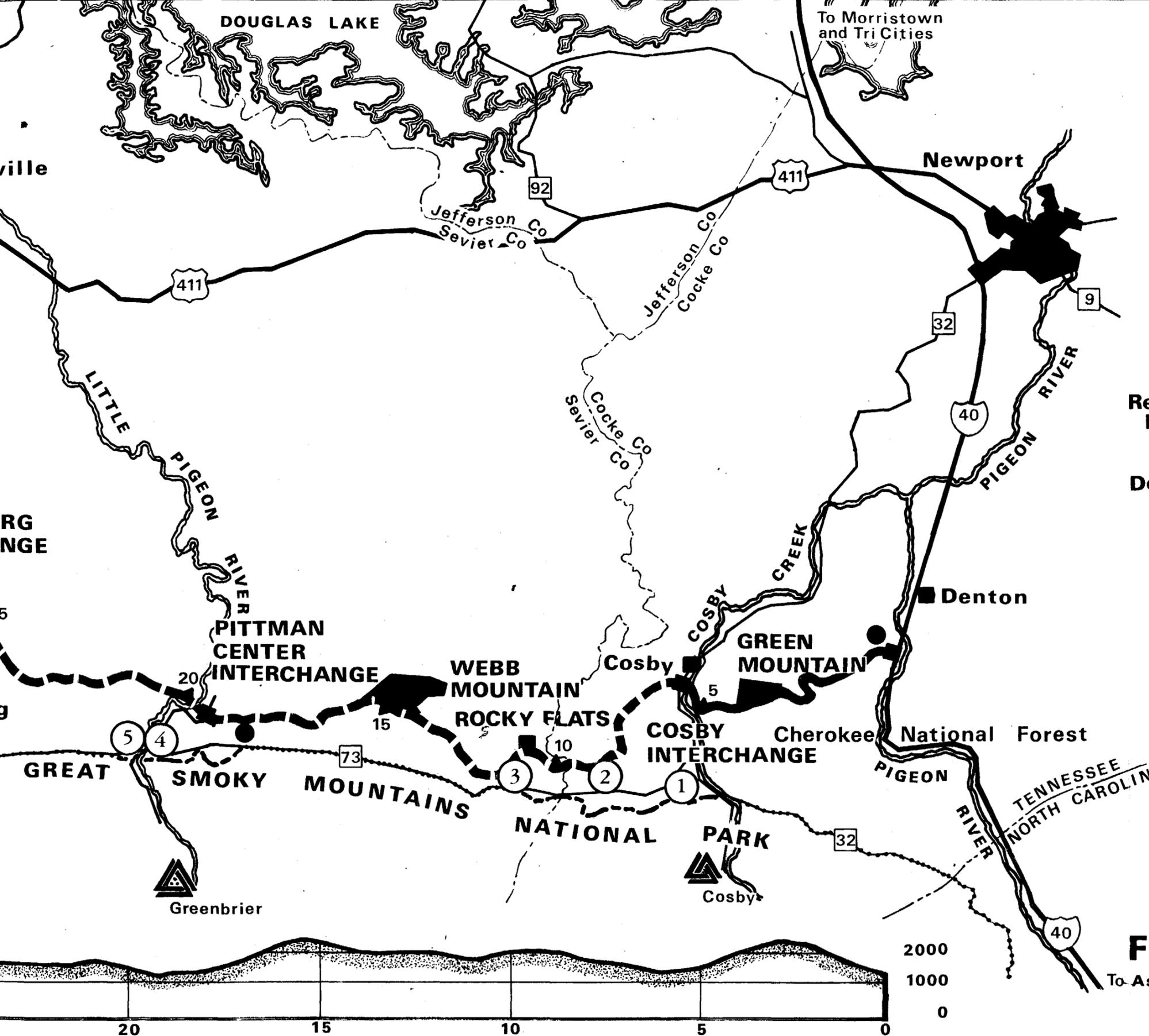
Private Camping Facilities Adjacent to Foothills Parkway

Name of Development	Sites	Name of Development	Sites
1 Holiday Campground	152	13 Pigeon River Campground	12
2 Indian Camp Creek	45	14 "Lil" Ponderosa Campground	80
3 Smoky Mtn. Campground	90	15 Little River Village	41
4 Greenbrier Island	80	16 Little River Campground	15
5 Huskey's Trailer Park	10	17 Tuckaleechee Park	36
6 Trout Creek Campground	50	18 Hunters Haven Game Preserve	—
7 Gatlinburg Trailer Park	67	19 Tuckaleechee Caverns	—
8 Dudley Creek Trailer Park	100	20 Blackman Trailer Count	12
9 Gatlinburg Ski Resort	—	21 Top of the World Estates	—
10 Foothills Campground	50	22 Chilhowee Campground	162
11 K.O.A. Campground	50		
12 Smokies Campground	100	Total Private Sites	1152

1968 Data







COMPLEMENTARY
RECREATION
FACILITIES
ADJACENT TO
FOOTHILLS PARKWAY
ON MICROFILM
To Asheville

AUTHORIZING THE ACCEPTANCE OF DONATIONS OF LAND FOR THE CONSTRUCTION
OF A SCENIC PARKWAY TO PROVIDE AN APPROPRIATE VIEW OF THE GREAT
SMOKY MOUNTAINS NATIONAL PARK FROM THE TENNESSEE SIDE OF THE PARK,
AND FOR OTHER PURPOSES

June 25, 1943. --Committed to the Committee of the Whole House
on the state of the Union and ordered to be
printed

Mr. Peterson of Florida, from the Committee on the Public Lands,
submitted the following

R E P O R T

(To accompany H. R. 1388)

The Committee on the Public Lands, to whom was referred the bill
(H.R. 1388) to authorize the acceptance of donations of land for
the construction of a scenic parkway to provide an appropriate view
of the Great Smoky Mountains National Park from the Tennessee side
of the park, and for other purposes, having considered the same,
report favorably thereon without amendment and recommend that the
bill do pass.

EXPLANATION OF THE BILL

The Committee on the Public Lands, to whom was referred the bill
(H.R. 1388) to authorize the acceptance of donations of land for
the construction of a scenic parkway to provide an appropriate view
of the Great Smoky Mountains National Park from the Tennessee side
of the park, and for other purposes, having considered the same,
report favorably thereon without amendment and recommend that the
bill do pass.

The purpose of this bill is to provide the necessary authority for
the acceptance of donations of land to be used as a right-of-way for
a scenic parkway in the foothills bordering the Tennessee side of the
Great Smoky Mountains National Park. The projected parkway would
follow a course generally parallel to the north boundary of the park,
and would afford an inspiring panorama of the mountains without
disturbing the scenic or agricultural values of the country. The
parkway project is understood to have the full approval of the people
of the surrounding region. It is not contemplated that work on the
parkway would be initiated during the present war, and the bill
merely authorizes acceptance of donations of the necessary land.

The enactment of the bill is favored by the Members of the House of Representatives from the two districts involved, and is recommended by the Department of the Interior and approved by the Bureau of the Budget. The bill was reported unanimously by the Committee on the Public Lands.

The favorable report of the Secretary of the Interior on the bill is set forth below and made a part of this report.

THE SECRETARY OF THE INTERIOR
Washington, June 11, 1943.

Hon. J. Hardin Peterson,
Chairman, Committee on the Public Lands,
House of Representatives.

My Dear Mr. Peterson: Further reference is made to the request of your committee for a report on H.R. 1388, entitled "A bill to authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park from the Tennessee side of the park, and for other purposes."

I recommend that H.R. 1388 be enacted.

H.R. 1388 is the same as H.R. 6657 of the Seventy-seventh Congress, which was passed by the House of Representatives and reported from the Senate Committee on Public Lands and Surveys (S. Rept. No. 1623, 77th Cong.).

The purpose of this proposed legislation is to authorize the acceptance of land to be donated to the United States for the construction of a scenic parkway in the bordering foothills of the mountains near the north boundary of the Great Smoky Mountains National Park. The approximate route of the parkway is shown on the enclosed map. Expenditures of Federal funds for road-construction proposed legislation is desirable, however, as the Federal Government would be in a position to accept donations of land and to go ahead with the construction of the highway at the proper time.

Prior to the war, traffic congestion on the north side of the park had become an acute problem due to the fact that the roads within the area are inadequate in alinement, width, and extent. Improvement and extension of these roads to carry the park traffic safely would be expensive and impractical. Furthermore, such changes in the park road system would scar the landscape and would not provide satisfactory views of the mountain scenery.

The park road problem has been studied for several years with the conclusion that the logical and practical solution would be the construction of a parkway running generally parallel to the north

boundary of the park. Such a parkway, to be constructed outside the main range on mountains and generally on the flanks of small secondary ridges, could be constructed in accordance with proper standards for safe and easy travel. The proposed route would afford inspiring panoramic views of the Great Smoky Mountains National Park.

I have been advised by the Bureau of the Budget that there would be no objection by that Bureau to the presentation of this report to the Congress.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior

An identical bill (H.R. 6657) was passed by the House of Representatives in the Seventy-seventh Congress, and was favorably reported upon in the Senate. It has the approval of the Director of the Budget also.

An Act to authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park from the Tennessee side of the park, and for other purposes, approved February 22, 1944 (Public Law 232--78th Congress)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land and interests in land in the State of Tennessee for the construction of a scenic parkway to be located generally parallel to the boundary of the Great Smoky Mountains National Park and connecting with the park, in order to provide an appropriate view of the park from the Tennessee side. The right-of-way to be acquired for the parkway shall be of such width as to comprise an average of one hundred and twenty-five acres per mile for its entire length. The title to real property acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior. All property acquired pursuant to this Act shall become a part of the Great Smoky Mountains National Park upon acceptance of title thereto by the Secretary, and shall be subject to all laws, rules, and regulations applicable thereto.

The Park Service and the Forest Service Mutually Agree:

1. That the transfer of title to National Forest land to the Secretary of the Interior will be subject to outstanding rights and reservations, existing easements, special use permits, and deed requirements or other agreements and understandings between the Forest Service and the owners or representatives of municipal and domestic water supplies in regard to maintaining the purity of the water supply and protecting the watershed from damage from fire.

2. It is mutually understood and agreed that the Forest Supervisor and the Superintendent of the Great Smoky Mountains National Park are authorized to enter into operational agreements providing for the cutting and disposal of trees or other growth to open vistas, trails, telephone lines, approved access roads.

It is also mutually understood and agreed that if a need develops, the Forest Supervisor, the Superintendent of the Great Smoky Mountains National Park, and the Director of the Tennessee Game and Fish Commission are authorized to enter into operational agreement to provide for cooperation in use of the Parkway right-of-way to provide access for hunters to the adjacent National Forest Lands. This may be similar to the existing agreement covering the Blue Ridge Parkway in the Pisgah National Forest in North Carolina and dated October 14, 1959.

3. This agreement shall become effective upon its execution and remain in effect after transfer of lands to the Park Service.

/s/ Gilbert H. Stradt
Forest Supervisor, Cherokee National Forest

August 17, 1964
Date

/s/ George W. Fry
Superintendent, Great Smoky Mountains
National Park

7-29-64

PLANNING TEAM MEMBERS

Office of Environmental Planning and Design - Eastern Service Center

William Smith	Team Captain
James S. Rouse	Resource Manager
Roy Slatkavitz	Landscape Architect

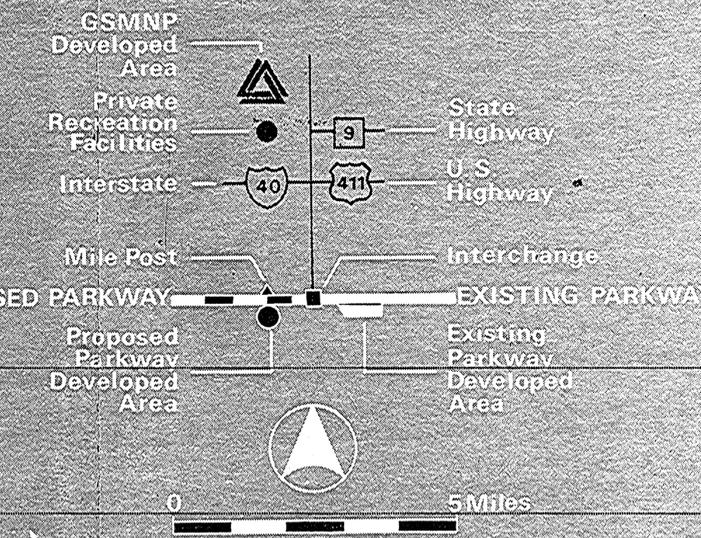
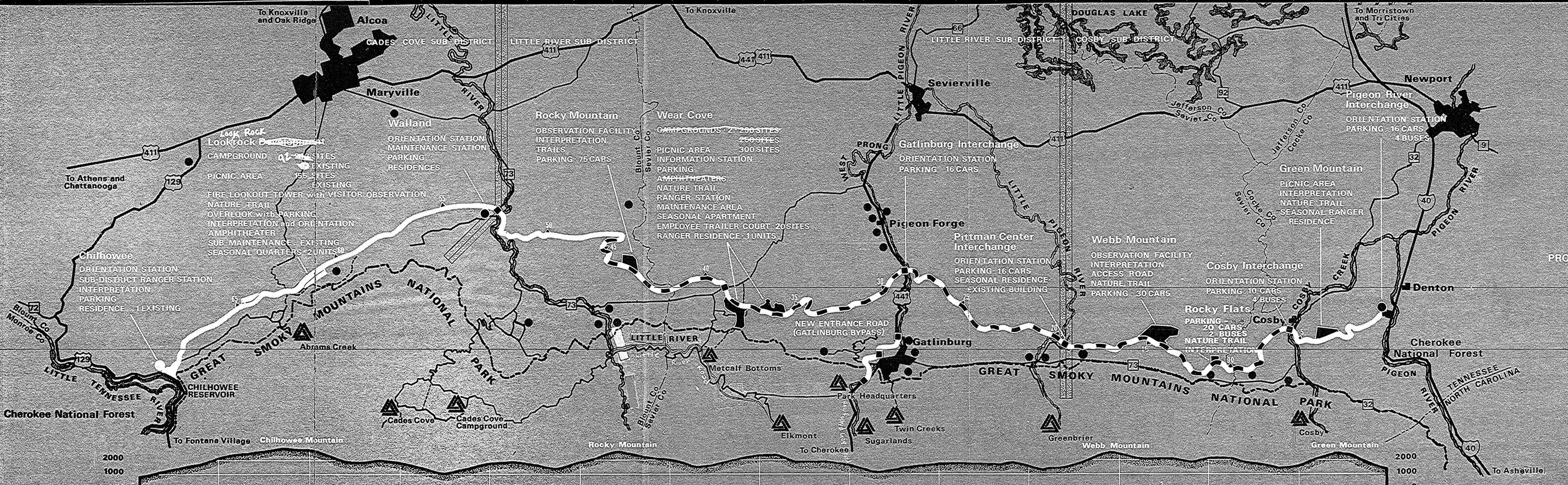
Southeast Regional Office

William O'Neill	Asst. to the Regional Director
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Great Smoky Mountains National Park

Keith Neilson	Superintendent
George W. Frey	Former Superintendent
Dan Davis	Former Asst. Superintendent
William Morgan	Former Landscape Architect

and other members of the park staff



ON MICROFILM
**GENERAL DEVELOPMENT
 FOOTHILLS PARKWAY**