**Section 4000.260 Trails**

a) The establishment or rehabilitation of trails in a nature preserve may be proposed in writing to the Commission with the prior approval of the landowner. Trails shall conform to the objectives of the nature preserve as stated in the master plan or management schedule. Trails shall be laid out so as to affect only part of the preserve and shall have minimal impact on natural features. Trails should have no adverse impact on endangered or threatened species or fragile or limited natural communities or features, pursuant to Section 11 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1991, ch. 8, par. 341 [520 ILCS 10/11].

b) The design and routing of any trails other than natural wildlife paths shall be specified in the master plan or management schedule. Trails shall be adequate to provide for permitted use of a preserve and to prevent erosion, trampling of vegetation, and other deterioration, but otherwise shall be kept to a minimum. Use of paving materials, footbridges, and elevated walks is permissible when provided for in the master plan or management schedule. Synthetic materials, painted or chemically treated wood, or stone or earth materials from outside the preserve may be used in trail construction only as provided in the master plan or management schedule.

c) Trail construction shall not threaten the continued existence of any population of a native plant or animal species in a nature preserve. No plant species listed as endangered or threatened pursuant to Ill. Rev. Stat. 1991, ch. 8, par. 337 [520 ILCS 10/7] or designated in the master plan as a species of management concern shall be removed, damaged, or cut in trail construction or maintenance.

d) Any proposal for trail development or rehabilitation should address the suitability of the site for providing handicapped accessibility, considering factors such as the type of natural communities, soils, slope, topography hydrology, size of the nature preserve, and any threatened and endangered species habitat. Providing access to disabled persons is encouraged; however, public access is not a requirement of nature preserve dedication and is secondary to protection of the nature preserve. Consistent with the Americans with Disabilities Act of 1990, P.L. 101-336, modifications to provide handicapped accessible trails are not required if such construction would harm the features for which the preserve was dedicated or where conditions such as steep slopes or saturated soils make it infeasible to meet regulations.

(Source: Amended at 18 Ill. Reg. 2290, effective January 31, 1994)