

107TH CONGRESS
1ST SESSION

S. 498

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 2001

Referred to the Committee on Resources

AN ACT

To amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Discovery
5 Trails Act of 2001”.

1 **SEC. 2. NATIONAL TRAILS SYSTEM ACT AMENDMENTS.**

2 (a)(1) Section 3(a) of the National Trails System Act
3 (16 U.S.C. 1242(a)) is amended by inserting after para-
4 graph (4) the following:

5 “(5) National discovery trails, established as
6 provided in section 5, which will be extended, contin-
7 uous, interstate trails so located as to provide for
8 outstanding outdoor recreation and travel and to
9 connect representative examples of America’s trails
10 and communities. National discovery trails should
11 provide for the conservation and enjoyment of sig-
12 nificant natural, cultural, and historic resources as-
13 sociated with each trail and should be so located as
14 to represent metropolitan, urban, rural, and back
15 country regions of the Nation. Any such trail may
16 be designated on federal lands and, with the consent
17 of the owner thereof, on any non federal lands.”.

18 (2) **FEASIBILITY REQUIREMENTS; COOPERATIVE**
19 **MANAGEMENT REQUIREMENT.**—Section 5(b) of such Act
20 (16 U.S.C. 1244) is amended by adding at the end the
21 following new paragraph:

22 “(12) For purposes of subsection (b), a trail
23 shall not be considered feasible and desirable for
24 designation as a national discovery trail unless it
25 meets all of the following criteria:

1 “(A) The trail must link one or more areas
2 within the boundaries of a metropolitan area
3 (as those boundaries are determined under sec-
4 tion 134(c) of title 23, United States Code). It
5 should also join with other trails, connecting
6 the National Trails System to significant recre-
7 ation and resources areas.

8 “(B) The trail must be supported by at
9 least one competent trailwide volunteer-based
10 organization. Each trail should have extensive
11 local and trailwide support by the public, by
12 user groups, and by affected State and local
13 governments.

14 “(C) The trail must be extended and pass
15 through more than one State. At a minimum,
16 it should be a continuous, walkable route.

17 “(13) The appropriate Secretary for each na-
18 tional discovery trail shall administer the trail in co-
19 operation with at least one competent trailwide vol-
20 unteer-based organization. Where the designation of
21 discovery trail is aligned with other units of the Na-
22 tional Trails System, or State or local trails, the des-
23 ignation of a discovery trail shall not affect the pro-
24 tections or authorities provided for the other trail or
25 trails, nor shall the designation of a discovery trail

1 diminish the values and significance for which those
2 trails were established.”.

3 (b) DESIGNATION OF THE AMERICAN DISCOVERY
4 TRAIL AS A NATIONAL DISCOVERY TRAIL.—Section 5(a)
5 of such Act (16 U.S.C. 1244(a)) is amended—

6 (1) by redesignating the second paragraph (21)
7 (relating to the Ala Kahakai National Historic
8 Trail) as paragraph (22); and

9 (2) by adding at the end the following:

10 “(23) The American Discovery Trail, a trail of
11 approximately 6,000 miles extending from Cape
12 Henlopen State Park in Delaware to Point Reyes
13 National Seashore in California, extending westward
14 through Delaware, Maryland, the District of Colum-
15 bia, West Virginia, Ohio, and Kentucky, where near
16 Cincinnati it splits into two routes. The Northern
17 Midwest route traverses Ohio, Indiana, Illinois,
18 Iowa, Nebraska, and Colorado, and the Southern
19 Midwest route traverses Indiana, Illinois, Missouri,
20 Kansas, and Colorado. After the two routes rejoin in
21 Denver, Colorado, the route continues through Colo-
22 rado, Utah, Nevada, and California. The trail is gen-
23 erally described in Volume 2 of the National Park
24 Service feasibility study dated June 1995 which
25 shall be on file and available for public inspection in

1 the office of the Director of the National Park Serv-
2 ice, Department of the Interior, the District of Co-
3 lumbia. The American Discovery Trail shall be ad-
4 ministered by the Secretary of the Interior in co-
5 operation with at least one competent trailwide vol-
6 unteer-based organization and other affected federal
7 land managing agencies, and state and local govern-
8 ments, as appropriate. No lands or interests outside
9 the exterior boundaries of federally administered
10 areas may be acquired by the Federal Government
11 solely for the American Discovery Trail. The provi-
12 sions of sections 7(e), 7(f), and 7(g) shall not apply
13 to the American Discovery Trail.”.

14 (c) COMPREHENSIVE NATIONAL DISCOVERY TRAIL
15 PLAN.—Section 5 of such Act (16 U.S.C. 1244) is further
16 amended by adding at the end the following new sub-
17 section:

18 “(g) Within three complete fiscal years after the date
19 of enactment of any law designating a national discovery
20 trail, the appropriate Secretary shall submit a comprehen-
21 sive plan for the protection, management, development,
22 and use of the trail, to the Committee on Resources of
23 the United States House of Representatives and the Com-
24 mittee on Energy and Natural Resources of the United
25 States Senate. The responsible Secretary shall ensure that

1 the comprehensive plan for the entire trail does not con-
2 flict with existing agency direction and shall consult with
3 the affected land managing agencies, the Governors of the
4 affected States, affected county and local political jurisdic-
5 tions, and local organizations maintaining components of
6 the trail. Components of the comprehensive plan include—

7 “(1) policies and practices to be observed in the
8 administration and management of the trail, includ-
9 ing the identification of all significant natural, his-
10 torical, and cultural resources to be preserved, model
11 agreements necessary for joint trail administration
12 among and between interested parties, and an iden-
13 tified carrying capacity for critical segments of the
14 trail and a plan for their implementation where ap-
15 propriate;

16 “(2) general and site-specific trail-related devel-
17 opment including costs; and

18 “(3) the process to be followed by the volunteer-
19 based organization, in cooperation with the appro-
20 priate Secretary, to implement the trail marking au-
21 thorities in section 7(c) conforming to approved trail
22 logo or emblem requirements. Nothing in this Act
23 may be construed to impose or permit the imposition
24 of any landowner on the use of any non-federal
25 lands without the consent of the owner thereof. Nei-

1 ther the designation of a National Discovery Trail
 2 nor any plan relating thereto shall affect or be con-
 3 sidered in the granting or denial of a right of way
 4 or any conditions relating thereto.”.

5 **SEC. 3. CONFORMING AMENDMENTS.**

6 The National Trails System Act is amended—

7 (1) in section 2(b) (16 U.S.C. 1241(b)), by
 8 striking “scenic and historic” and inserting “scenic,
 9 historic, and discovery”;

10 (2) in the section heading to section 5 (16
 11 U.S.C. 1244), by striking “**AND NATIONAL HIS-**
 12 **TORIC**” and inserting “**, NATIONAL HISTORIC,**
 13 **AND NATIONAL DISCOVERY**”;

14 (3) in section 5(a) (16 U.S.C. 1244(a)), in the
 15 matter preceding paragraph (1)—

16 (A) by striking “and national historic” and
 17 inserting “, national historic, and national dis-
 18 covery”; and

19 (B) by striking “and National Historic”
 20 and inserting “, National Historic, and Na-
 21 tional Discovery”;

22 (4) in section 5(b) (16 U.S.C. 1244(b)), in the
 23 matter preceding paragraph (1), by striking “or na-
 24 tional historic” and inserting “, national historic, or
 25 national discovery”;

1 (5) in section 5(b)(3) (16 U.S.C. 1244(b)(3)),
 2 by striking “or national historic” and inserting “,
 3 national historic, or national discovery”;

4 (6) in section 7(a)(2) (16 U.S.C. 1246(a)(2)),
 5 by striking “and national historic” and inserting “,
 6 national historic, and national discovery”;

7 (7) in section 7(b) (16 U.S.C. 1246(b)), by
 8 striking “or national historic” each place such term
 9 appears and inserting “, national historic, or na-
 10 tional discovery”;

11 (8) in section 7(c) (16 U.S.C. 1246(c))—

12 (A) by striking “scenic or national his-
 13 toric” each place it appears and inserting “sce-
 14 nic, national historic, or national discovery”;

15 (B) in the second proviso, by striking “sce-
 16 nic, or national historic” and inserting “scenic,
 17 national historic, or national discovery”; and

18 (C) by striking “, and national historic”
 19 and inserting “, national historic, and national
 20 discovery”;

21 (9) in section 7(d) (16 U.S.C. 1246(d)), by
 22 striking “or national historic” and inserting “na-
 23 tional historic, or national discovery”;

24 (10) in section 7(e) (16 U.S.C. 1246(e)), by
 25 striking “or national historic” each place such term

1 appears and inserting “, national historic, or na-
2 tional discovery”;

3 (11) in section 7(f)(2) (16 U.S.C. 1246(f)(2)),
4 by striking “National Scenic or Historic” and insert-
5 ing “national scenic, historic, or discovery trail”;

6 (12) in section 7(h)(1) (16 U.S.C. 1246(h)(1)),
7 by striking “or national historic” and inserting “na-
8 tional historic, or national discovery”; and

9 (13) in section 7(i) (16 U.S.C. 1246(i)), by
10 striking “or national historic” and inserting “na-
11 tional historic, or national discovery”.

Passed the Senate August 3, 2001.

Attest:

JERI THOMSON,

Secretary.