HISTORIC TRAILS LEGISLATION

HEARING

BEFORE THE

SUBCOMMITTEE ON PARKS AND RECREATION

OF THE

COMMITTEE ON

ENERGY AND NATURAL RESOURCES

UNITED STATES SENATE

NINETY-FIFTH CONGRESS

SECOND SESSION

ON

S. 929

A BILL TO ESTABLISH NATIONAL HISTORIC TRAILS AS A NEW CATEGORY OF TRIALS WITHIN THE NATIONAL TRAILS SYSTEM, TO INCLUDE THE IDITAROD TRAIL, ALASKA, IN THE NATIONAL TRAILS SYSTEM AS A NATIONAL HISTORIC TRAIL, AND FOR OTHER PURPOSES

S. 2659

A BILL TO ESTABLISH NATIONAL HISTORIC TRAILS AS A NEW CATEGORY OF TRAILS WITHIN THE NATIONAL TRAILS SYSTEM, AND FOR OTHER PURPOSES

S. 2663

A BILL TO AMEND THE NATIONAL TRAILS SYSTEM ACT BY DESIGNATING THE OREGON TRAIL, LOCATED IN PORTIONS OF MISSOURI, KANSAS, NEBRASKA, WYOMING, IDAHO, OREGON, AND WASHINGTON, AS A COMPONENT OF THE NATIONAL TRAILS SYSTEM

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S. 2705

A BILL TO ESTABLISH NATIONAL HISTORIC TRAILS AS A NEW CATEGORY OF TRAILS WITHIN THE NATIONAL TRAILS SYSTEM, TO INCLUDE THE MORMON PIONEER TRAIL IN THE NATIONAL TRAILS SYSTEM AS A NATIONAL HISTORIC TRAIL, AND FOR OTHER PURPOSES

S. 2974

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H.R. 6900

AN ACT TO AMEND THE NATIONAL TRAILS SYSTEM ACT OF 1968 (82 STAT. 919), AS AMENDED, TO DESIGNATE THE OREGON NATIONAL HISTORIC TRAIL AND TRAVELWAY AS A UNIT OF THE NATIONAL TRAILS SYSTEM

MAY 1, 1978

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HISTORIC TRAILS LEGISLATION

MONDAY, MAY 1, 1978

U.S. SENATE,
SUBCOMMITTEE ON PARKS AND RECREATION,
OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:06 a.m., in room 3110, Dirksen Office Building, Hon. James Abourezk, presiding.

Present: Senators Abourezk and Hansen.

Also present: Laura Beaty, professional staff member; and Tony Bevinetto, legislative assistant to Senator Hansen.

OPENING STATEMENT OF HON. JAMES ABOUREZK, A U.S. SENATOR FROM THE STATE OF SOUTH DAKOTA

Senator ABOUREZK. The hearing will come to order. This hearing is to receive testimony on bills to amend the National Trails System Act of 1968 to create a new category of national historic trails and designate certain historic trails, including the Oregon, the Lewis and Clark, the Mormon, and the Iditarod Trail.

I will insert the rest of my statement and the bills in the record and we'll ask for testimony now.

[The prepared statement of Senator Abourezk and the text of the bills and Department reports follow:]

STATEMENT OF HON. JAMES ABOUREZK, A U.S. SENATOR FROM THE STATE OF SOUTH DAKOTA

The hearing will come to order. This hearing is to receive testimony on bills to amend the National Trails System Act of 1968 to create a new category of national historic trails and designate certain historic trails, including the Oregon, the Lewis and Clark, the Mormon, and the Iditarod.

H.R. 6900.—to amend the National Trails System Act of 1968 (82 Stat. 919), as amended, to designate the Oregon National Historic Trail and Travelway as a unit of the National Trails System;

S. 929.—to establish National Historic Trails as a new category of trails within the National Trails System, to include the Iditarod Trail, Alaska, in the National Trails System as a National Historic Trail;

S. 2659.—to establish National Historic Trails as a new category of trails within the National Trails System;

S. 2668.—to amend the National Trails System Act by designating the Oregon Trail, located in portions of Missouri, Kansas, Nebraska, Wyoming, Idaho, Oregon, and Washington;

S. 2664.—to amend the National Trails System Act by designating the Lewis and Clark Trail, located in portions of Missouri, Kansas, Nebraska, Iowa, South Dakota, North Dakota, Montana, Idaho, Oregon, and Washington;

S. 2705.—to establish National Historic Trails as a new category of trails within the National Trails System, to include the Mormon Pioneer Trail in the National Trails System as a National Historic Trail; and,

S. 2974.—to establish a National Historic Trails Category within the National Trails System, to designate certain historic routes as National Historic Trails.

Copies of the legislation and the departmental reports will be included in the record at this point.

95TH CONGRESS
1ST SESSION

S. 929

IN THE SENATE OF THE UNITED STATES

MARCH 7 (legislative day, FEBRUARY 21), 1977

Mr. GRAVEL (for himself and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish National Historic Trails as a new category of trails within the National Trails System, to include the Iditarod Trail, Alaska, in the National Trails System as a National Historic 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 That the National Trails System Act (82 Stat. 919; 16
4 U.S.C. 1241) is amended as follows:
5 (a) In section 2 (b) delete "and scenic" and insert
6 "scenic and historic".
7 (b) In section 3 redesignate subsection "(c)" as "(d)",
8 and insert prior thereto a new subsection (c) as follows:

1 "(c) National Historic Trails, established as provided
2 in section 5 of this Act, and designated in accordance with
3 the criteria in section 7 of this Act, which will be extended
4 trails that follow as closely as possible the original trails or
5 routes of national historical significance. Although designa-
6 tion of such trails or routes shall be continuous, an established
7 or developed trail may not be continuous.".

8 (c) In the new section 3 (d) delete "or national scenic"
9 and insert ", national scenic, or national historic".

10 (d) In the heading of section 5 "SCENIC" insert "AND
11 NATIONAL HISTORIC"; in the first sentence of section 5 (a)
12 after "scenic" insert "and national historic"; and in section
13 5 (b) after "national scenic" wherever it appears insert "or
14 national historic".

15 (e) In section 6 delete in the first sentence "or national
16 scenic" and insert ", national scenic, or national historic";
17 and in the second sentence delete "or scenic" and insert
18 ", scenic, or historic".

19 (f) In section 7 in the first sentence of subsection (a)
20 after "Scenic" insert "and National Historic"; in subsection
21 (b) and in the first sentence of subsection (c) after "scenic"
22 wherever it appears insert "or national historic"; in the
23 penultimate sentence of subsection (c) delete "and scenic"
24 and insert ", scenic, and historic"; in subsection (d) delete
25 "or scenic" and insert ", scenic, or historic"; in subsection

1 (e) after "scenic" wherever it appears insert "or historic";
2 in the first sentence of subsection (h) delete "or scenic" and
3 insert ", scenic, or historic"; in the second sentence of sub-
4 section (h) after "scenic" insert "or historic"; and in the
5 first sentence of subsection (i) delete "or scenic" and insert
6 ", scenic, or historic".

7 (g) Section 7 of such Act is further amended by adding
8 at the end thereof the following new subsection:

9 "(j) To qualify for designation as a National Historic
10 Trail, a trail must meet all three of the following criteria:

11 "(1) It must be a trail established by historic use
12 and historically significant as a result of that use. The
13 trail need not exist as a trail at present to qualify, but its
14 location must be known sufficiently to permit evaluation
15 of public recreation potentials.

16 "(2) It must be of national significance with respect
17 to any of several broad facets of American history such
18 as trade and commerce, migration and settlement, or
19 military campaigns. To qualify as nationally significant,
20 historic use of the trail must have had a far-reaching
21 effect on broad patterns of American culture. Trails sig-
22 nificant in the history of native Americans (Indians,
23 Aleuts, and Eskimos) may be included.

24 "(3) It must have significant potential for public
25 recreational use based on historic interpretation and

1 appreciation. The potential for such use generally is
2 greatest along cross-country segments developed as his-
3 toric trails, and at historic sites associated with the trail.
4 The presence of recreation potential not related to his-
5 toric appreciation is not sufficient justificatioon for desig-
6 nation under this category.".
7 (h) In section 8 (a) at the end of the first sentence in-
8 sert the following sentence: "The Secretary is also directed
9 to encourage States to consider, in their comprehensive
10 statewide historic preservation plans and proposals for finan-
11 cial assistance for State, local, and private projects sub-
12 mitted pursuant to the Act of October 15, 1966 (80 Stat.
13 915), as amended, needs and opportunities for establishing
14 historic trails.".
15 SEC. 2. (a) The Iditarod Trail, Alaska, a trail of ap-
16 proximately one thousand & six hundred miles extending
17 from Seward to Nome, Alaska, following the route (s) as
18 generally depicted on the map identified as "Proposed Idita-
19 rod Trail, Number ———, dated ————" is hereby
20 designated a national historic trail within the National Trails
21 System. The Iditarod National Historic Trail shall be admin-
22 istered by the Secretary of the Interior.
23 (b) Within three years from the date of this Act an
24 inventory and evaluation of all sites, structures, and other
25 properties located along or immediately adjacent to the desig-

1 nated route possessing historical, architectural, archeological,
2 or cultural value shall be conducted by the administering
3 agency in consultation with concerned public and private
4 landowners or managers. This inventory and evaluation
5 shall, among other things, identify properties eligible for in-
6 clusion in the National Register of Historic Places and for-
7 mulate plans for the protection and preservation of significant
8 historical and archeological properties.

9 (c) There is authorized to be appropriated $150,000
10 for the purpose of acquiring lands or interests in lands, sign-
11 ing, conducting an inventory and evaluation of historical and
12 archeological sites, and other actions necessary to implement
13 this Act.

95TH CONGRESS
2D SESSION

S. 2659

IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 6), 1978

Mr. ABOUREZK (by request) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish National Historic Trails as a new category of trails within the National Trails System, 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 That the National Trails System Act (82 Stat. 919; 16
4 U.S.C. 1241) is amended as follows:
5 (a) In section 2 (a) after "promote" insert "preserva-
6 tion of and"; and after "outdoor areas" insert "and historic
7 resources".
8 (b) In section 2 (b) delete "and scenic" and insert
9 ", scenic and historic".
10 (c) In section 3 redesignate subsection "(c)" as

1 "(d)", and insert prior thereto a new subsection "(c)" as
2 follows:
3 "(c) National historic trails, established as pro-
4 vided in section 5 of this Act, which will be extended
5 nationally significant historic trails so located as to follow
6 as nearly possible their original location, but they need
7 not be continuous. Where necessary, they may follow
8 existing trails, public roads, railroad rights-of-way, or
9 waterways. Such trails will be established to preserve
10 identifiable historic trail segments, related historic and
11 archeological features, and to provide for public outdoor
12 recreation use compatible with such preservation.".
13 (d) In the new section 3(d) delete "or national
14 scenic trails" and insert "or national scenic or historic
15 trails".
16 (e) In the heading of section 5 after "SCENIC" insert
17 "AND NATIONAL HISTORIC".
18 (f) In section 5(a), insert in the first sentence after
19 the word "scenic" the words "and national historic" and in
20 the second sentence delete "the initial" and insert after the
21 word "scenic" the words "or national historic".
22 (g) In section 5(b) wherever "national scenic" ap-
23 pears insert after it "or national historic".
24 (h) In section 5(b)(3) after the semicolon add "and
25 in the case of national historic trails the report shall include

1 the recommendation of the Advisory Board on National
2 Parks, Historic Sites, Buildings, and Monuments as to the
3 national historic significance based on the criteria developed
4 under the Historic Sites Act of 1935 (49 Stat. 666; U.S.C.
5 461);".

6 (i) In section 5(b)(7), after "national scenic" add
7 "or national historic".

8 (j) In section 5(b)(8) delete the word "and" at the
9 end of the section; in section 5(b)(9) delete the period
10 at the end of the section and insert "; and"; and at the
11 end of section 5(b) add the following new paragraph:

12 "(10) the anticipated impact of public outdoor
13 recreation use on the preservation of a proposed national
14 historic trail and its related historic and archeological
15 features and settings, including the measures proposed
16 to insure evaluation and preservation of the values that
17 contribute to their national historic significance.".

18 (k) In section 6 delete in the first sentence "or national
19 scenic trail" and insert ", national scenic, or national historic
20 trail"; and in the second sentence delete "or scenic trails"
21 and insert ", scenic or historic trails".

22 (l) In section 7 in the first sentence of subsection (a)
23 after "National Scenic" insert "and National Historic"; in
24 subsection (b) wherever "national scenic trail" appears
25 insert after it "or national historic trail"; in subsection (c)

1 in the first sentence after "National scenic trails" insert "or
2 National historic trails"; and after the fourth sentence of
3 subsection (c) insert the following new sentence: "Where
4 a national historic trail follows existing public roads, rail-
5 road rights-of-way, or waterways approximating the original
6 location of a historic route, such segments may be marked to
7 facilitate retracement of the historic route, and where a na-
8 tional historic trail parallels an existing public road such
9 road may be marked to commemorate the historic route:
10 *Provided,* That section 4 (f) of the Department of Trans-
11 portation Act, as amended (49 U.S.C. 1653 (f)), shall not
12 apply to highway agency activities such as modifications
13 or changes or repairs of a routine nature within such seg-
14 ments: *Provided further,* That authority for Federal ac-
15 quisition of lands for historic trails is limited to those lands
16 within the exterior boundaries of federally administered units
17 which are expressly needed for purposes of maintaining his-
18 toric integrity or which are necessary for the interpretation
19 and preservation of historic sites, buildings, and/or trail
20 remnants having high potential for enhancing the opportunity
21 for the public to identify with the Nation's historic heritage.".
22 (m) In section 7 in the penultimate sentence of sub-
23 section (c) before the period at the end of the sentence
24 insert "and each national historic trail"; in subsection (d)
25 after "scenic trail" insert "or national historic trail"; in sub-

1 section (e) after "national scenic trail" wherever it appears
2 insert "or national historic trail"; in subsection (h) in the
3 first sentence after "national recreation or scenic trail" insert
4 "or national historic trail"; and in the second sentence after
5 "a national scenic" add "or national historic"; and in sub-
6 section (i) in the first sentence after "national recreation or
7 scenic trail" insert "or national historic trail".

8 (n) In section 8 in the first sentence of subsection (a)
9 after "establishing park, forest, and other recreation" insert
10 "and historic" and after "administered by States, and recre-
11 ation" insert "and historic"; and at the end of the first
12 sentence of subsection (a) change the period to a semi-
13 colon and add the following language: "and the Secretary
14 is also directed to consider in these plans and in their com-
15 prehensive statewide historic preservation plans and pro-
16 posals for financial assistance for State, local, and private
17 projects submitted pursuant to the Historic Preservation Act
18 of October 15, 1966, as amended (16 U.S.C. 470), the
19 needs and opportunities for establishing historic trails.".

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 26 1977

Honorable Walter F. Mondale
President of the
Senate
Washington, D. C. 20510

Dear Mr. President:

At the direction of the President and as part of his message on the Environment, enclosed is a draft bill "To establish National Historic Trails as a new category of trails within the National Trails System." We recommend that the bill be referred to the appropriate Committee for consideration and that it be enacted.
The purpose of the National Trails System Act is to promote access to, travel within and the enjoyment and appreciation of the open-air, outdoor areas of the Nation. This is to be accomplished by instituting a national system of recreation and scenic trails.

The Act identifies three types of trails for inclusion in the system:

1. National Recreation Trails
2. National Scenic Trails
3. Connecting Scenic Trails

No provision is made for historic trails, per se, although "historic qualities" are mentioned in connection with the characteristics which national scenic trails should have. The Act indicates that national scenic trails, are "to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural or cultural qualities of the areas through which such trails may pass".

During the course of its studies of the routes listed in the National Trails System Act for possible designation as national scenic trails, the Department of the Interior has found that many of the routes which are historically notable lack substantial scenic characteristics throughout much of their length. They often traverse country which is not particularly amendable to long-distance foot, horseback or bicycle travel. These trail routes although important for their historic aspects, do not fit readily into the scenic trail mold. They are, however, significant routes which have played major roles in the history of our country. For that reason, and because certain segments of the routes can provide nationally significant interpretive/recreation opportunities and have high potential for enhancing the public's identification with the Nation's heritage, these routes merit Federal recognition.

To facilitate recognition of routes or segments thereof which meet historic/interpretive/recreation criteria, it is recommended that the National Trails System Act be amended to include a new category of trails, National Historic Trails. Establishment of such a category would provide a new means of achieving the goals of the National Trails System Act in terms of these special types of trails--combining the provision of quality outdoor recreation opportunities in close association with historic events of national significance.

The Office of Management and Budget has advised that this legislative proposal is in accord with the program of the President.

Sincerely,

Cecil D. Andrus

SECRETARY

Enclosure

29-864 O - 78 - 2

A BILL

To establish National Historic Trails as a new category of trails within the National Trails System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Trails System Act (82 Stat. 919; 16 U.S.C. 1241) is amended as follows:

(a) In section 2(a) after "promote" insert "preservation of and"; and after "outdoor areas" insert "and historic resources".

(b) In section 2(b) delete "and scenic" and insert ", scenic and historic".

(c) In section 3 redesignate subsection "(c)" as "(d)", and insert prior thereto a new subsection "(c)" as follows:

"(c) National historic trails, established as provided in section 5 of this Act, which will be extended nationally significant historic trails so located as to follow as nearly possible their original location, but they need not be continuous. Where necessary, they may follow existing trails, public roads, railroad rights-of-way, or waterways. Such trails will be established to preserve identifiable historic trail segments, related historic and archeological features, and to provide for public outdoor recreation use compatible with such preservation."

(d) In the new section 3(d) delete "or national scenic trails" and insert "or national scenic or historic trails".

(e) In the heading of section 5 after "SCENIC" insert "AND NATIONAL HISTORIC".

(f) In section 5(a), insert in the first sentence after the word "scenic" the words "and national historic" and in the second sentence delete "the initial" and insert after the word "scenic" the words "or national historic".

(g) In section 5(b) wherever "national scenic" appears insert after it "or national historic".

(h) In section 5(b)(3) after the semicolon add "and in the case of national historic trails the report shall include the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments as to the national historic significance based on the criteria developed under the Historic Sites Act of 1935 (49 Stat. 666; U.S.C. Sec. 461);".

(i) In section 5(b)(7), after "national scenic" add "or national historic".

(j) In section 5(b)(8) delete the word "and" at the end of the section; in section 5(b)(9) delete the period at the end of the section and insert "; and"; and at the end of section 5(b) add the following new paragraph:

"(10) the anticipated impact of public outdoor recreation use on the preservation of a proposed national historic trail and its related historic and archeological features and settings, including the measures proposed to ensure evaluation and preservation of the values that contribute to their national historic significance."

(k) In section 6 delete in the first sentence "or national scenic trail" and insert ", national scenic, or national historic trail"; and in the second sentence delete "or scenic trails" and insert ", scenic or historic trails".

(l) In section 7 in the first sentence of subsection (a) after "National Scenic" insert "and National Historic"; in subsection (b) wherever "national scenic trail" appears insert after it "or national historic trail"; in subsection (c) in the first sentence after "National scenic trails" insert "or National historic trails"; and after the fourth sentence of subsection (c) insert the following new sentence:

"Where a national historic trail follows existing public roads, railroad rights-of-way or waterways approximating the original location of a historic route, such segments may be marked to facilitate retracement of the historic route, and where a national historic trail parallels an existing public road such road may be marked to commemorate the historic route: Provided, That section 4(f) of the Department of Transportation Act, as amended (49 U.S.C. 1653(f)), shall not apply to highway agency activities such as modifications or [illegible] required of a routine nature within such segments:

Provided further, That, authority for Federal acquisition of lands for historic trails is limited to those lands within the exterior boundaries of federally-administered units which are expressly needed for purposes of maintaining historic integrity or which are necessary for the interpretation and preservation of historic sites, buildings and/or trail remnants having high potential for enhancing the opportunity for the public to identify with the Nation's historic heritage."

(m) In section 7 in the penultimate sentence of subsection (c) before the period at the end of the sentence insert "and each national historic trail"; in subsection (d) after "scenic trail" insert "or national historic trail"; in subsection (e) after "national scenic trail" wherever it appears insert "or national historic trail"; in subsection (h) in the first sentence after "national recreation or scenic trail" insert "or national historic trail"; and in the second sentence after "a national scenic" add "or national historic"; and in subsection (i) in the first sentence after "national recreation or scenic trail" insert "or national historic trail".

(n) In section 8 in the first sentence of subsection (a) after "establishing park, forest, and other recreation" insert "and historic" and after "administered by States, and recreation" insert "and historic"; and at the end of the first sentence of subsection (a) change the period to a semicolon and add the following language:

"and the Secretary is also directed to consider in these plans and in their comprehensive statewide historic preservation plans and proposals for financial assistance for State, local, and private projects submitted pursuant to the Historic Preservation Act of October 15, 1966, as amended (16 U.S.C. 470), the needs and opportunities for establishing historic trails."

95TH CONGRESS
2D SESSION

S. 2663

IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 6), 1978

Mr. ABOUREZK (by request) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the National Trails System Act by designating the Oregon Trail, located in portions of Missouri, Kansas, Nebraska, Wyoming, Idaho, Oregon, and Washington, as a component of the National Trails System.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Oregon National Historic
4 Trail Act of 1978".
5 SEC. 2. Section 5 (a) of the National Trails System Act
6 (82 Stat. 919; 16 U.S.C. 1241) is amended by inserting
7 the following new paragraph at the end of said section:
8 "(5) The Oregon National Historic Trail, a trail of ap-
9 proximately two thousand miles, extending from near In-

1 dependence, Missouri, to the vicinity of Portland, Oregon,
2 following the primary route of the Historic Oregon Trail
3 depicted on the maps, identified as, 'Primary Route of the
4 Oregon Trail 1841–1848' in the Department of the Interior
5 Oregon Trail study report dated April 1977: *Provided,* (i)
6 that while this Act will commemorate the entire route of
7 the Oregon Trail along its historic alinement by designation
8 as the Oregon National Historic Trail, only those suitable
9 cross-country segments of the Oregon Trail which are within
10 the exterior boundaries of federally administered areas and
11 which meet the national historic trail criteria established in
12 this Act, are established initially as components of the Ore-
13 gon National Historic Trail; and (ii) that the Secretary
14 of the Interior may designate lands outside of the exterior
15 boundaries of federally administered areas as segments of
16 the Oregon National Historic Trail upon application from
17 State or local government agencies or private interests in-
18 volved if such segments meet the national historic trails
19 criteria established in this Act and such criteria supplemen-
20 tary thereto as the Secretary may prescribe, and are ad-
21 ministered by such agencies or interests without expense to
22 the United States.".

23 SEC. 3. The responsibility for overall coordination of
24 Oregon National Historic Trail matters shall rest with the
25 Secretary of the Interior, in cooperation with the heads of

1 other Federal and State agencies where lands administered
2 by them are involved. Such responsibility shall include—
3 (a) determining the specific trail route, as provided
4 for in section 7 (a) of the National Trails System Act;
5 (b) identifying those segments of the trail within
6 the exterior boundaries of federally administered areas
7 that are suitable for establishment as the initial com-
8 ponents of the Oregon National Historic Trail; and
9 (c) preparing an overall plan for development and
10 management of the trail within three years after the
11 date of enactment of this Act: *Provided,* That respon-
12 sibility for the development and management of trail
13 segments located within the boundaries of lands admin-
14 istered by other Federal departments or agencies shall
15 lie within the heads of such departments or agencies
16 and shall be exercised consistent with the overall con-
17 cept, route, and plan for the trail established by the
18 Secretary of the Interior.
19 SEC. 4. There are authorized to be appropriated such
20 sums as may be necessary to carry out the provisions of this
21 Act.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

OCT 5 - 1977

Honorable Walter F. Mondale
President of the
Senate
Washington, D. C. 20510

Dear Mr. President:

Enclosed is a draft bill "To amend the National Trails System Act by designating the Oregon Trail, located in portions of Missouri, Kansas, Nebraska, Wyoming, Idaho, Oregon and Washington, as a component of the National Trails System."

We recommend that the bill be referred to the appropriate Committee for consideration and that it be enacted.

The Act of October 2, 1968 (82 Stat. 919; 16 U.S.C. 1241), established a National Trails System, designated the Appalachian and Pacific Crest Trails as National Scenic Trails and listed 14 additional routes, including the Oregon Trail, for study as potential National Scenic Trails. The Act also prescribed procedures for establishing additional National Scenic Trails, National Recreation Trails, and connecting and side trails in the System.

The enclosed draft bill implements the recommendations resulting from the Department's study of the Oregon Trail route. We have concluded that the trail, as studied and presented in the report, meets the criteria for addition to the National Trails System as a National Historic Trail. Legislation to establish a category of National Historic Trails within the National Trails System has been submitted to the Congress separately.

The Oregon Trail route, as discussed in the enclosed copy of the study report, is the route thought to have received the most use as a wagon road by Willamette Valley (Oregon) -- bound emigrants during the period 1841-1848. That period of western migration was historically very significant to the development of Oregon and the rest of the Pacific Northwest. The route, approximately 2,000 miles in length, extended from near Independence, Missouri, to the vicinity of Portland, Oregon.

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

The components of the trails recommended for initial designation and development are those portions of the trail which are within the exterior boundaries of existing federally administered areas. Under the proposed legislation, the Secretary of the Interior may designate trail systems outside of the exterior boundaries of federally administered areas as components of the Oregon National Historic Trail upon application from State or local government agencies or private interests when prescribed criteria are met and when those segments are administered by such agencies or interests without expense to the United States.

Overall coordination of the Oregon National Historic Trail would be assigned to the Secretary of the Interior. The Secretary will cooperate with the heads of other Federal agencies, where lands administered by them are involved, and with State, county and local agencies or private trail or historic organizations in planning the development of the trail and its subsequent management.

The proposed Oregon National Historic Trail offers a variety of historical, scenic and recreation opportunities.

The Office of Management and Budget has advised that this legislatiive proposal is in accord with the program of the President.

Sincerely,

James A. Joseph

Under SECRETARY

Enclosures

A BILL

To amend the National Trails System Act by designating the Oregon Trail, located in portions of Missouri, Kansas, Nebraska, Wyoming, Idaho, Oregon and Washington, as a component of the National Trails System.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Oregon National Historic Trail Act of 1977".

SEC. 2. Section 5(a) of the National Trails System Act (82 Stat. 919; 16 U.S.C. 1241) is amended by inserting the following new paragraph at the end of said section:

"(5) The Oregon National Historic Trail, a trail of approximately two thousand miles, extending from near Independence, Missouri, to the vicinity of Portland, Oregon, following the primary route of the Historic Oregon Trail depicted on the maps, identified as, "Primary Route of the Oregon Trail 1841-1848" in the Department of the Interior Oregon Trail study report dated April 1977: Provided, (i) That while this Act will commemorate the entire route of the Oregon Trail along its historic alignment by designation as the Oregon National Historic Trail, only those suitable cross-country segments of the Oregon Trail which are within the exterior boundaries of federally administered areas and which meet the national historic trail criteria established in this Act, are established initially as components of the Oregon National Historic Trail; and (ii) That the Secretary of the Interior may designate lands outside of the exterior boundaries of federally

administered areas as segments of the Oregon National Historic Trail upon application from State or local government agencies or private interests involved if such segments meet the national historic trails criteria established in this Act and such criteria supplementary thereto as the Secretary may prescribe, and are administered by such agencies or interests without expense to the United States."

SEC. 3. The responsibility for overall coordination of Oregon National Historic Trail matters shall rest with the Secretary of the Interior, in cooperation with the heads of other Federal and State agencies where lands administered by them are involved. Such responsibility shall include:

(a) determining the specific trail route, as provided for in section 7(a) of the National Trails System Act;

(b) identifying those segments of the trail within the exterior boundaries of federally administered areas that are suitable for establishment as the initial components of the Oregon National Historic Trail; and

(c) preparing an overall plan for development and management of the trail within three years after the date of enactment of this Act, provided that responsibility for the development and management of trail segments located within the boundaries of lands administered by other Federal departments or agencies shall lie within the heads of such departments or agencies and shall be exercised consistent with the overall concept, route, and plan for the trail established by the Secretary of the Interior.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

95TH CONGRESS
2D SESSION

S. 2664

IN THE SENATE OF THE UNITED STATES

MARCH 6 (legislative day, FEBRUARY 6), 1978

Mr. ABOUREZK (by request) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the National Trails System Act by designating the Lewis and Clark Trail, located in portions of Missouri, Kansas, Nebraska, Iowa, South Dakota, North Dakota, Montana, Idaho, Oregon, and Washington as a component of the National Trails System.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Lewis and Clark National
4 Historical Trail Act of 1978".

5 SEC. 2. Section 5 (a) of the National Trails System Act
6 (82 Stat. 919; 16 U.S.C. 1241) is amended by inserting
7 "National Scenic" after "The Appalachian" at the begin-
8 ning of paragraph (1) and after "The Pacific Crest" at the

1 beginning of paragraph (2) and by inserting the following
2 new paragraph at the end of said section:
3 "(4) The Lewis and Clark Historical Trail, a trail
4 of approximately three thousand seven hundred miles,
5 extending from Saint Louis, Missouri, to the mouth of the
6 Columbia River in Oregon, following the outbound and
7 inbound routes of the Lewis and Clark Expedition depicted
8 on the maps, identified as, "Vicinity Map, Lewis and Clark
9 Trail" in the Department of the Interior Lewis and Clark
10 Trail study report dated April 1977: *Provided,* (i) That
11 while this Act will commemorate the entire route of the Lewis
12 and Clark Expedition along its historic alinement by desig-
13 nation as the Lewis and Clark National Historic Trail, only
14 those selected land and water based components of the Lewis
15 and Clark Trail which are within the exterior boundaries
16 of federally administered areas and which meet the national
17 historic trail criteria established in this Act, are established
18 initially as components of the Lewis and Clark National
19 Historic Trail; and (ii) that the Secretary of the Interior
20 may designate lands outside of the exterior boundaries of
21 federally administered areas as segments of the Lewis and
22 Clark National Historic Trail upon application from State
23 or local government agencies or private interests involved
24 in such segments meet the national historic trail criteria
25 established in this Act and such criteria supplementary there-

1 to as the Secretary may prescribe, and are administered by
2 such agencies or interests without expense to the United
3 States.".

4 SEC. 3. The responsibility for overall coordination of
5 National Historic Trail matters shall rest with the Secretary
6 of the Interior, in cooperation with the heads of other Fed-
7 eral and State agencies where lands administered by them
8 are involved. Such responsibility shall include—

9 (a) establishing the specific trail route, as provided
10 for in section 7 (a) of the National Trails System Act;

11 (b) identifying those segments of the trail within
12 the exterior boundaries of federally administered areas
13 that are suitable for establishment as the initial compo-
14 nent of the Lewis and Clark National Historic Trail; and

15 (c) preparing an overall plan for development and
16 management of the trail within three years after enact-
17 ment of this Act: *Provided,* That the responsibility for
18 the development and management of trail segments
19 located within the boundaries of lands administered by
20 another Federal department or agency shall lie with the
21 head of that agency and shall be exercised consistent
22 with the overall concept, route, and plan for the trail
23 established by the Secretary of the Interior.

24 SEC. 4. There are authorized to be appropriated such
25 sums as may be necessary to carry out the provisions of this
26 Act.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

April 28, 1978

Honorable Henry M. Jackson
Chairman, Committee on Energy and
Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This responds to the request from your Committee for our views on S. 2664, a bill "To amend the National Trails System Act by designating the Lewis and Clark Trail, located in portions of Missouri, Kansas, Nebraska, Iowa, South Dakota, North Dakota, Montana, Idaho, Oregon, and Washington as a component of the National Trails System."

We recommend the enactment of S. 2664, with a minor amendment which is described herein.

This report will supplement our December 14, 1977, report to the President of the Senate recommending the enactment of our draft bill, "To amend the National Trails System Act by designating the Lewis and Clark Trail, located in portions of Missouri, Kansas, Nebraska, Iowa, South Dakota, Montana, North Dakota, Idaho, Oregon, and Washington as a component of the National Trails System."

In the draft bill which we transmitted to the Congress on December 14, 1977, we inadvertently omitted including the segment of the Lewis and Clark Trail which is located in the State of Illinois.

Subsequent to their appointments in 1803 to head the Corps of Discovery, as the Expedition was known, Lewis and Clark established winter preparation quarters on the banks of the Wood River opposite the mouth of the Missouri River. The site, some twenty miles north of St. Louis, was selected to avoid conflict with the Spanish Commandant at St. Louis. At this site, information was sought for the long trip ahead, personnel were enlisted, and military discipline was established. The Expedition left its Wood River camp on May 14, 1804, heading across the Mississippi River and up the Missouri.

To correct the ommission, we recommend that S. 2664 be amended by inserting "Illinois" as the first state in the list of states in the title of the bill. Also, line 5, page 2 of S. 2664 should be revised

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to read: "extending from Wood River, Illinois/St. Louis, Missouri, to the mouth of the".

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

Bob Herbst
Assistant SECRETARY

95TH CONGRESS
2D SESSION

S. 2705

IN THE SENATE OF THE UNITED STATES

MARCH 9 (legislative day, FEBRUARY 6), 1978

Mr. HATCH (for himself and Mr. GARN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish national historic trails as a new category of trails within the National Trails System, to include the Mormon Pioneer Trail in the National Trails System as a national historic 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 That the National Trails System Act (82 Stat. 919; 16
4 U.S.C. 1241) is amended as follows:
5 (a) In section 2(b) delete "and scenic" and insert
6 "scenic and historic".
7 (b) In section 3 redesignate subsection "(c)" as
8 "(d)", and insert prior thereto a new subsection (c) as
9 follows:

1 "(c) National historic trails, established as provided
2 in section 5 of this Act, and designated in accordance with
3 the criteria in section 7 of this Act, which will be extended
4 trails that follow as closely as possible the original trails or
5 routes of national historical significance. Although designa-
6 tion of such trails or routes shall be continuous, an established
7 or developed trail may not be continuous.".

8 (c) In the new section 3 (d) delete "or national scenic"
9 and insert ", national scenic, or national historic".

10 (d) In the heading of section 5 after "SCENIC" insert
11 "AND NATIONAL HISTORIC"; in the first sentence of
12 section 5 (a) after "scenic" insert "and national historic";
13 and in section 5 (b) after "national scenic" wherever it ap-
14 pears insert "or national historic".

15 (e) In section 6 delete in the first sentence "or national
16 scenic" and insert ", national scenic, or national historic";
17 and in the second sentence delete "or scenic" and insert ",
18 scenic, or historic".

19 (f) In section 7 in the first sentence of subsection (a)
20 after "Scenic" insert "and National Historic"; in subsection
21 (b) and in the first sentence of subsection (c) after "scenic"
22 wherever it appears insert "or national historic"; in the
23 penultimate sentence of subsection (c) delete "and scenic"
24 and insert ", scenic, and historic"; in subsection (d) delete
25 "or scenic" and insert ", scenic, or historic"; in subsection

1 (e) after "scenic" wherever it appears insert "or historic";
2 in the first sentence of subsection (h) delete "or scenic" and
3 insert ", scenic, or historic"; in the second sentence of sub-
4 section (h) after "scenic" insert "or historic"; and in the
5 first sentence of subsection (i) delete "or scenic" and insert
6 ", scenic, or historic".

7 (g) Section 7 of such Act is further amended by add-
8 ing at the end thereof the following new subsection:

9 "(j) To qualify for designation as a National Historic
10 Trail, a trail must meet all three of the following criteria:

11 "(1) It must be a trail established by historic use
12 and historically significant as a result of that use. The
13 trail need not exist as a trail at present to qualify, but
14 its location must be known sufficiently to permit evalua-
15 tion of public recreation potentials.

16 "(2) It must be of national significance with
17 respect to any of several broad facets of American his-
18 tory such as trade and commerce, migration and settle-
19 ment, or military campaigns. To qualify as nationally
20 significant, historic use of the trail must have had a far-
21 reaching effect on broad patterns of American culture.
22 Trails significant in the history of native Americans
23 (Indians, Aleuts, and Eskimos) may be included.

24 "(3) It must have significant potential for public
25 recreational use based on historic interpretation and ap-

1 preciation. The potential for such use generally is great-
2 est along cross-country segments developed as historic
3 trails, and at historic sites associated with the trail. The
4 presence of recreation potential not related to historic
5 appreciation is not sufficient justification for designation
6 under this category.".

7 (h) In section 8 (a) at the end of the first sentence
8 insert the following sentence: "The Secretary is also directed
9 to encourage States to consider, in their comprehensive state-
10 wide historic preservation plans and proposals for financial
11 assistance for State, local, and private projects submitted
12 pursuant to the Act of October 15, 1966 (80 Stat. 915),
13 as amended, needs and opportunities for establishing historic
14 trails.".

15 SEC. 2. (a) The Mormon Pioneer Trail, a trail of
16 approximately one thousand three hundred miles from
17 Nauvoo, Illinois, to Salt Lake City, Utah, following the pri-
18 mary route of the Historic Mormon Trail depicted on the
19 map, identified as " " in the Department of the
20 Interior Mormon Trail study report dated , is
21 hereby designated a national historic trail within the National
22 Trails System. The Mormon Pioneer National Historic Trail
23 shall be administered by the Secretary of the Interior.

24 (b) This Act hereby provides (i) that while this Act
25 will commemorate the entire route of the Mormon Trail along

1 its historic alinement by designation as the Mormon Pioneer
2 National Historic Trail, only those suitable cross-country
3 segments of the Mormon Trail which are within the exterior
4 boundaries of federally administered areas and which meet
5 the national historic trail criteria established in this Act
6 are established initially as components of the Mormon Pio-
7 neer National Historic Trail; and (ii) that the Secretary
8 of the Interior may designate lands outside of the exterior
9 boundaries of federally administered areas as segments of
10 the Mormon Pioneer National Historic Trail upon applica-
11 tion from State or local government agencies or private in-
12 terests involved if such segments meet the national historic
13 trail criteria established in this Act and such criteria supple-
14 mentary thereto as the Secretary may prescribe, and are
15 administered by such agencies or interests without expense
16 to the United States.

17 SEC. 3. The responsibility for overall coordination of
18 national historic trail matters shall rest with the Secretary
19 of the Interior, in cooperation with the heads of other Federal
20 and State agencies where lands administered by them are
21 involved. Such responsibility shall include—

22 (a) establishing the specific trail route, as provided
23 for in section 7 (a) of the National Trails System Act;

24 (b) identifying those segments of the trail within
25 the exterior boundaries of federally administered areas

1 that are suitable for establishment as the initial compo-
2 nents of the Mormon Pioneer National Historic Trail;
3 and
4 (c) preparing an overall plan for development and
5 management of the trail within three years after enact-
6 ment of this Act: *Provided*, That the responsibility for
7 the development and management of trail segments
8 located within the boundaries of lands administered by
9 another Federal department or agency shall lie within
10 the head of that agency and shall be exercised consistent
11 with the overall concept, route, and plan for the trail
12 established by the Secretary of the Interior.
13 SEC. 4. There are authorized to be appropriated such
14 sums as may be necessary to carry out the provisions of this
15 Act.

95TH CONGRESS
2D SESSION

S. 2974

IN THE SENATE OF THE UNITED STATES

APRIL 24, 1978

Mr. CHURCH (for himself, Mr. JACKSON, Mr. PAUL G. HATFIELD, Mr. MCGOVERN, Mr. EAGLETON, Mr. MCCLURE, Mr. ZORINSKY Mr. STEVENS, Mr. CULVER, Mr. GRAVEL, and Mr. MARK O. HATFIELD) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish a National Historic Trails Category within the National Trails System, to designate certain historic routes as National Historic Trails, 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 That this Act may be cited as the "National Historic Trails
4 Act of 1978".

5 TITLE I—FINDINGS AND PURPOSES

6 SEC. 101. FINDINGS.—The Congress finds that—
7 (a) the primary purpose for the enactment of the
8 National Trails System Act of 1968 (Public Law 90-
9 543) was to establish a national system of recreational
10 and scenic trails in order to meet some of the outdoor

1 recreation needs of America's expanding population and
2 in order to promote public access to, travel within, and
3 enjoyment and appreciation of the open-air, outdoor
4 areas of the Nation;
5 (b) the National Trails System Act as amended by
6 Public Law 94–527 established procedures for studying
7 other nationally significant trails to determine the suit-
8 ability of their inclusion within the National Trails Sys-
9 tem as National Scenic Trails and identified twenty two
10 routes to be so studied;
11 (c) a number of the studies recently completed
12 pursuant to the National Trails System Act have found
13 that routes of important national historic significance—
14 such as the Oregon Trail, the Mormon Pioneer Trail, the
15 Lewis and Clark Trail, the Santa Fe Trail, and the
16 Iditarod Trail—when compared to concepts set forth in
17 Public Law 90–543 and criteria subsequently developed
18 for national scenic trails, are not suitable for inclusion
19 within the National Trails System as National Scenic
20 Trails;
21 (d) because these routes presently have no formal
22 protection, they are subject to a multitude of pressures
23 which threaten to alter or destroy their historic values;
24 (e) without adequate protection, the heritage of our

1 country's historic migration and transportation routes,
2 with their remaining historic edifices and artifacts, may
3 be lost forever;
4 (f) it is therefore in the national interest to amend
5 the National Trails System Act to establish a category of
6 National Historic Trails in order to commemorate certain
7 routes important and significant to American history as
8 routes of trade and commerce, migration and settlement,
9 or military campaigns; and
10 (g) the Oregon Trail, the Mormon Pioneer Trail,
11 the Lewis and Clark Trail, and the Iditarod Trail, all
12 having been studied and found suitable for protection are
13 logical additions to the National Trails System as Na-
14 tional Historic Trails.
15 SEC. 102. PURPOSES.—The Congress declares that the
16 purposes of this Act are to—
17 (a) establish within the National Trails System a
18 category of National Historic Trails;
19 (b) amend the National Trails System Act as to pro-
20 vide procedures for the study of certain trails to deter-
21 mine their suitability for inclusion within the National
22 Trails System as National Historic Trails; and
23 (c) designate certain routes of special historical
24 significance as National Historic Trails.

1 TITLE II.—ESTABLISHMENT OF A NATIONAL
2 HISTORIC TRAILS CATEGORY WITHIN THE
3 NATIONAL TRAILS SYSTEM

4 SEC. 201. The National Trails System Act (82 Stat.
5 919; 16 U.S.C. 1241), as amended, is further amended as
6 follows:

7 (a) In section 2 (a) after "promote" insert "the pres-
8 ervation of,"; and after "outdoor areas" insert "and historic
9 resources".

10 (b) In section 2 (a) delete "(ii)" and the remainder
11 of the sentence and insert "(ii) secondarily, within scenic
12 areas and along historic travel routes of the Nation, which
13 are often remotely located.".

14 (c) In section 2 (b) delete "and scenic" and insert
15 ", scenic and historic".

16 (d) In section 3 redesignate subsection "(c)" as
17 "(d)", and insert a new subsection (c) as follows:

18 "(c) National historic trails, established as provided
19 in section 5 of this Act, which will be extended trails which
20 follow as closely as possible and practicable the original
21 trails or routes of travel of national historical significance.
22 Designation of such trails or routes shall be continuous, but
23 the established or developed trail, and the acquisition thereof,
24 need not be continuous onsite. National historic trails shall
25 have as their purpose the identification and protection of

1 the historic route and its historic remnants and artifacts for
2 public use and enjoyment.".

3 (e) In the new section 3 (d) delete "or national scenic"
4 and insert ", national scenic or national historic".

5 (f) Change the title of section 5 to read "NATIONAL
6 SCENIC AND NATIONAL HISTORIC TRAILS".

7 (g) In section 5 (a), insert in the first sentence after
8 the word "scenic" the words "and national historic" and
9 change the second sentence to read: "There are hereby estab-
10 lished the following National Scenic and National Historic
11 Trails:".

12 (h) In section 5 (a) (1), in the first sentence, after the
13 word "Appalachian", insert "National Scenic", and in sec-
14 tion 5 (a) (2), in the first sentence, after "Pacific Crest",
15 insert "National Scenic".

16 (i) In section 5 (b) after "national scenic" wherever it
17 appears insert "or national historic"; in the first sentence
18 after the phrase "Secretary of the Interior," insert "through
19 the agency most likely to administer such trail,"; delete the
20 third sentence; and delete that portion of the fourth sentence
21 which precedes the numerical listing, and insert in lieu the
22 following: "The studies listed in subsection (c) of this sec-
23 tion shall be completed and submitted to the Congress, with
24 recommendations as to the suitability of trail designation, not
25 later than three complete fiscal years from the date of enact-

1 ment of their addition to this subsection, or from the date
2 of enactment of this sentence, whichever is later. Such studies
3 when submitted, shall be printed as a House or Senate docu-
4 ment, and shall include, but not be limited to:".

5 (j) In section 5 (b) (3) after the semicolon add "and in
6 the case of national historic trails the report shall include the
7 recommendation of the Secretary of the Interior's National
8 Park System Advisory Board as to the national historic
9 significance based on the criteria developed under the Historic
10 Sites Act of 1935 (49 Stat. 666; 16 U.S.C. 461) ;".

11 (k) In section 5 (b) (8) delete the word "and" at the
12 end of the sentence; in section 5 (b) (9) change the period
13 at the end of the sentence to a semicolon; and at the end of
14 section 5 (b) add the following new paragraphs:

15 "(10) the anticipated impact of public outdoor rec-
16 reation use on the preservation of a proposed national
17 historic trail and its related historic and archeological
18 features and settings, including the measures proposed to
19 insure evaluation and preservation of the values that
20 contribute to their national historic significance; and

21 "(11) to qualify for designation as a national his-
22 toric trail, a trail must meet all three of the following
23 criteria:

24 "(A) It must be a trail or route established by
25 historic use and must be historically significant as a

1 result of that use. The route need not currently exist
2 as a discernable trail to qualify, but its location
3 must be sufficiently known to permit evaluation of
4 public recreation and historical interest potential. A
5 designated trail should generally accurately follow
6 the historic route, but may deviate somewhat on oc-
7 casion of necessity to avoid difficult routing through
8 subsequent development, or to provide some route
9 variation offering a more pleasurable recreational
10 experience. Such deviations shall be so noted on site.
11 Trail segments no longer possible to travel by trail
12 due to subsequent development as motorized trans-
13 portation routes may be designated and marked on-
14 site as segments which link to the historic trail.
15 "(B) It must be of national significance with
16 respect to any of several broad facets of American
17 history, such as trade and commerce, migration and
18 settlement, or military campaigns. To qualify as na-
19 tionally significant, historic use of the trail must have
20 had a far-reaching effect on broad patterns of Amer-
21 ican culture. Trails significant in the history of
22 native Americans may be included.
23 "(C) It must have significant potential for pub-
24 lic recreational use or historical interest based on
25 historic interpretation and appreciation. The poten-

1 tial for such use is generally greater along roadless
2 segments developed as historic trails, and at historic
3 sites associated with the trail. The presence of rec-
4 reation potential not related to historic appreciation
5 is not sufficient justification for designation under
6 this category.".

7 (l) In section 5 delete subsection (d), and insert a
8 new section 5 (d) to read as follows:

9 "(d) The Secretary charged with the administration
10 of each respective trail shall, within one year of the date of
11 the addition of any national scenic or national historic trail
12 to the System, and within sixty days of the enactment of this
13 sentence for the Appalachian and Pacific Crest National
14 Scenic Trails, establish an advisory council for each such
15 trail, each of which councils shall expire ten years from the
16 date of its establishment. The appropriate Secretary shall
17 consult with such council from time to time with respect to
18 matters relating to the trail, including the selection of rights-
19 of-way, standards for the erection and maintenance of mark-
20 ers along the trail, and the administration of the trail. The
21 members of each advisory council, which shall not exceed
22 thirty-five in number, shall serve for a term of two years and
23 without compensation as such, but the Secretary may pay,
24 upon vouchers signed by the chairman of the council, the
25 expenses reasonably incurred by the council and its members

1 in carrying out their responsibilities under this section. Mem-
2 bers of each council shall be appointed by the appropriate
3 Secretary as follows:

4 "(i) a member appointed to represent each Federal
5 department or independent agency administering lands
6 through which the trail route passes, and each appointee
7 shall be the person designated by the head of such
8 department or agency;

9 "(ii) a member appointed to represent each State
10 through which the trail passes, and such appointments
11 shall be made from recommendations of the Governors
12 of such States;

13 "(iii) one or more members appointed to represent
14 private organizations, including corporate and indi-
15 vidual landowners and land users, which in the opinion
16 of the Secretary, have an established and recognized
17 interest in the trail, and such appointments shall be
18 made from recommendations of the heads of such or-
19 ganizations: *Provided,* That the Appalachian Trail
20 Conference shall be represented by a sufficient number
21 of persons to represent the various sections of the coun-
22 try through which the Appalachian Trail passes; and

23 "(iv) the Secretary shall designate one member to
24 be chairman and shall fill vacancies in the same manner
25 as the original appointment.".

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1 (m) In section 5 add a new subsection (e) as follows:
2 "(e) Within two complete fiscal years of the date of
3 enactment of legislation designating a trail as part of the
4 system, and within two complete fiscal years of the date of
5 enactment of this subsection for the Pacific Crest and Ap-
6 palachian Trails, the responsible Secretary shall, after full
7 consultation with affected Federal land managing agencies,
8 the Governors of the affected States, and the Appalachian
9 Trail Conference in the case of the Appalachian Trail, sub-
10 mit to the Committee on Interior and Insular Affairs of the
11 House of Representatives and the Committee on Energy and
12 Natural Resources of the Senate, a comprehensive plan for
13 the acquisition, management, development, and use of the
14 trail, including but not limited to, the following items:
15 "(1) specific objectives and practices to be observed
16 in the management of the trail, including the identifica-
17 tion of all significant natural, historical, and cultural
18 resources to be preserved (along with high potential his-
19 torical sites and high potential route segments in the case
20 of national historic trails), details of anticipated coop-
21 erative agreements to be consummated with other entit-
22 ties, and an identified carrying capacity of the trail and
23 a plan for its implementation;
24 "(2) an acquisition or protection plan, by fiscal
25 year, for all lands to be acquired by fee title or lesser

1 interest, along with detailed explanation of anticipated
2 necessary cooperative agreements for any lands not to be
3 acquired; and
4 "(3) general and site-specific development plans,
5 including anticipated costs.".
6 (n) In section 6 in the first sentence delete "or na-
7 tional scenic" and insert ", national scenic or national his-
8 toric", and in the second sentence delete "or scenic" and in-
9 sert ", national scenic, or national historic".
10 (o) In section 7 (a) in the first sentence delete "Na-
11 tional Scenic Trails" and insert "national scenic and national
12 historic trails"; in two instances in subsection (b), and in
13 the first sentence of subsection (c), after "scenic", insert "or
14 national historic"; in the fourth sentence of subsection (c),
15 after "trail", insert "and within any high potential historic
16 sites and high potential route segments of any national historic
17 trail"; in subsection (c) in the second proviso, after "recrea-
18 tion" delete "or scenic" and insert ", national scenic, or na-
19 tional historic"; and in the fifth sentence after "recreation"
20 delete "and scenic" and insert ", national scenic, and na-
21 tional historic"; in subsection (d) after "recreation" delete
22 "or scenic" and insert ", national scenic, or national his-
23 toric"; in subsection (e) after "scenic" in both instances
24 where it appears insert "or national historic"; in subsection
25 (h) in the first sentence after "recreation" delete "or

1 scenic" and insert ", national scenic, or national historic",
2 and in the second sentence after "scenic" insert "or national
3 historic"; in subsection (i) after "recreation" delete "or
4 scenic" and insert ", national scenic, or national historic".
5 (p) In section 7 (c) at the end of the fourth sentence
6 insert the following: "Where a national historic trail follows
7 existing public roads, developed rights-of-way or waterways,
8 and similar features of man's nonhistorically related develop-
9 ment, approximating the original location of a historic route,
10 such segments may be marked to facilitate retracement of
11 the historic route, and where a national historic trail par-
12 allels an existing public road, such road may be marked to
13 commemorate the historic route.".
14 (q) In section 7 (e), in the first proviso, delete
15 "within two years".
16 (r) In section 7 (g), delete the second proviso en-
17 tirely.
18 (s) At the end of subsection 7 (g) add the following
19 new sentence: "For national historic trails, direct Federal
20 acquisition for trail purposes shall be limited to those areas
21 indicated by the study report or by the comprehensive plan
22 as high potential route segments or high potential historic
23 sites.".
24 (t) In section 8 in the first sentence of subsection (a)
25 after "establishing park, forest, and other recreation" insert

1 "and historic" and after "administered by States, and rec-
2 reation" insert "and historic"; and at the end of the first
3 sentence insert the following: "The Secretary is also directed
4 to encourage States to consider, in their comprehensive state-
5 wide historic preservation plans and proposals for financial
6 assistance for State, local, and private projects submitted
7 pursuant to the Act of October 15, 1966 (80 Stat. 915), as
8 amended, needs and opportunities for establishing historic
9 trails.".

10 TITLE III—DESIGNATION OF CERTAIN ROUTES
11 AS NATIONAL HISTORIC TRAILS

12 SEC. 301. The National Trails System Act (82 Stat.
13 919; 16 U.S.C. 1241) as amended, is further amended as
14 follows:

15 (a) In section 5 (a), delete paragraph (3) and insert in
16 lieu the following new paragraphs:

17 "(3) The National Historic Oregon Trail, a route of
18 approximately two thousand miles extending from near In-
19 dependence, Missouri, to the vicinity of Portland, Oregon,
20 following a route as depicted on maps identified as 'Primary
21 Route of the Oregon Trail 1841–1848', in the Department of
22 the Interior's Oregon Trail study report dated April 1977,
23 and which shall be on file and available for public inspection
24 in the office of the Director of the National Park Service,

1 The trail shall be administered by the Secretary of the
2 Interior.
3 '(4) The National Historic Mormon Pioneer Trail, a
4 trail of approximately one thousand three hundred miles from
5 Nauvoo, Illinois, to Salt Lake City, Utah, following the
6 primary route of the Historic Mormon Trail depicted on a
7 map, identified as, ' ' in the Department of
8 Interior Mormon Trail study report dated :
9 *Provided,* (a) That while this section of this Act com-
10 memorates the entire route of the Mormon Trail along its
11 historic alinement by designation as the National Historic
12 Mormon Pioneer Trail, only those suitable cross-country seg-
13 ments of the Mormon Trail which are within the exterior
14 boundaries of federally administered areas and which meet
15 the national historic trail criteria established in this Act, are
16 established initially as components of the National Historic
17 Mormon Trail; and (b) that the Secretary of the Interior
18 may designate lands outside of the exterior boundaries of
19 federally administered areas as segments of the National
20 Historic Mormon Trail upon application from State or local
21 government agencies or private interests involved if such
22 segments meet the national historic trail criteria established
23 in this Act and such criteria supplementary thereto as the
24 Secretary may prescribe, and are administered by such
25 agencies or interests without expense to the United States.

1 "(5) The National Historic Lewis and Clark Trail, a
2 trail of approximately three thousand seven hundred miles,
3 extending from Saint Louis, Missouri, to the mouth of the
4 Columbia River in Oregon, following the outbound and in-
5 bound routes of the Lewis and Clark Expedition depicted on
6 maps, identified as, 'Vicinity Map, Lewis and Clark Trail'
7 study report dated April 1977: *Provided,* (a) That while
8 this section of this Act shall commemorate the entire route
9 of the Lewis and Clark Expedition along its historic aline-
10 ment by designation as the National Historic Lewis and
11 Clark Trail, only those selected land and water based com-
12 ponents of the Lewis and Clark Trail which are within the
13 exterior boundaries of federally administered areas and which
14 meet the national historic trail criteria established in this
15 Act, are established initially as components of the National
16 Historic Lewis and Clark Trail; and (b) that the Secretary
17 of the Interior may designate land outside of the exterior
18 boundaries of federally administered areas as segments of
19 the National Historic Lewis and Clark Trail upon applica-
20 tion from State or local government agencies or private
21 interests involved in such segments meet the national historic
22 trail criteria established in this Act and such criteria supple-
23 mentary thereto as the Secretary may prescribe, and are
24 administered by such agencies or interests without expense
25 to the United States.

1 "(6) The National Historic Iditarod Trail, a trail of
2 approximately one thousand six hundred miles extending
3 from Seward to Nome, Alaska, following the route(s)
4 as generally depicted on the map identified as 'The Seward-
5 Nome Route', in the Department of Interior's Alaskan
6 Gold Rush Trails study report dated September 1977, and
7 which shall be on file and available for public inspection
8 in the office of the Director of the National Park Service.
9 The trail shall be administered by the Secretary of the
10 Interior.".

11 TITLE IV—MISCELLANEOUS PROVISIONS

12 SEC. 401. The National Trails System Act (82 Stat.
13 919; 16 U.S.C. 1241), as amended, is further amended as
14 follows:

15 (a) At the end of section 7, insert the following new
16 paragraphs:

17 "(j) The provisions of section 5(a) of this Act des-
18 ignating certain national historic trails, do not prohibit the
19 construction, reconstruction, or improvement of roads, high-
20 ways, railroads, or water transportation routes which may be
21 designated as segments of a national historic trail.

22 "(k) Notwithstanding any other provision of law, the
23 designation of any trail under section 5(a) of this Act as a
24 national historic trail shall not prohibit the construction of

1 new transportation or utility systems across or along portions
2 of the trail right-of-way.".
3 SEC. 402. There are authorized to be appropriated such
4 sums as may be necessary to carry out the provisions of this
5 Act.

95TH CONGRESS
2D SESSION

H. R. 6900

IN THE SENATE OF THE UNITED STATES

APRIL 5 (legislative day, FEBRUARY 6), 1978

Read twice and referred to the Committee on Energy and Natural Resources

AN ACT

To amend the National Trails System Act of 1968 (82 Stat. 919), as amended, to designate the Oregon National Historic Trail and Travelway as a unit of the National Trails System.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the National Trails System Act (82 Stat. 919; 16
4 U.S.C. 1241), as amended, is further amended as follows:
5 (1) In section 2 (a) after "promote" insert "the pres-
6 ervation of,"; and after "outdoor areas" insert "and
7 historic resources".
8 (2) In section 2 (a) delete "(ii)" and the remainder of
9 the sentence and insert "(ii) secondarily, within scenic areas

1 and along historic travel routes of the Nation, which are often
2 more remotely located.".
3 (3) In section 2 (b) delete "and scenic" and insert
4 ", scenic and historic".
5 (4) In section 3 redesignate subsection "(c)" as "(d)",
6 and insert a new subsection (c) as follows:
7 "(c) National historic trails, established as provided in
8 section 5 of this Act, which will be extended trails which
9 follow as closely as possible and practicable the original trails
10 or routes of travel of national historical significance. Designa-
11 tion of such trails or routes shall be continuous, but the
12 established or developed trail, and the acquisition thereof,
13 need not be continuous onsite. National historic trails shall
14 have as their purpose the identification and protection of the
15 historic route and its historic remnants and artifacts for
16 public use and enjoyment.".
17 (5) In the new section 3 (d) delete "or national scenic"
18 and insert ", national scenic or national historic".
19 (6) Change the title of section 5 to read "NATIONAL
20 SCENIC AND NATIONAL HISTORIC TRAILS".
21 (7) In section 5 (a), insert in the first sentence after the
22 word "scenic" the words "and national historic" and change
23 the second sentence to read: "There are hereby established
24 the following National Scenic and National Historic
25 Trails:".

1 (8) In section 5(a) (1), in the first sentence, after the
2 word "Appalachian", insert "National Scenic", and in sec-
3 tion 5(a) (2), in the first sentence, after "Pacific Crest",
4 insert "National Scenic".

5 (9) In section 5(a), delete paragraph (3) and insert
6 in lieu the following new paragraph:

7 "(3) The Oregon National Historic Trail, a route of
8 approximately two thousand miles extending from near In-
9 dependence, Missouri, to the vicinity of Portland, Oregon,
10 following a route as depicted on maps identified as 'Primary
11 Route of the Oregon Trail 1841–1848', in the Department
12 of the Interior's Oregon Trail study report dated April 1977,
13 and which shall be on file and available for public inspec-
14 tion in the office of the Director of the National Park Serv-
15 ice. The Trail shall be administered by the Secretary of the
16 Interior.".

17 (10) In section 5(b) after "national scenic" wherever
18 it appears insert "or national historic"; in the first sentence
19 after the phrase "Secretary of the Interior," insert "through
20 the agency most likely to administer such trail,"; delete the
21 third sentence; and delete that portion of the fourth sentence
22 which precedes the numerical listing, and insert in lieu the
23 following: "The studies listed in subsection (c) of this sec-
24 tion shall be completed and submitted to the Congress, with
25 recommendations as to the suitability of trail designation, not

1 later than three complete fiscal years from the date of en-
2 actment of their addition to this subsection, or from the date
3 of enactment of this sentence, whichever is later. Such
4 studies, when submitted, shall be printed as a House or Sen-
5 ate document, and shall include, but not be limited to:".

6 (11) In section 5 (b) (3) after the semicolon add "and
7 in the case of national historic trails the report shall include
8 the recommendation of the Secretary of the Interior's Na-
9 tional Park System Advisory Board as to the national his-
10 toric significance based on the criteria developed under the
11 Historic Sites Act of 1935 (49 Stat. 666; U.S.C.
12 461) ;".

13 (12) In section 5 (b) (8) delete the word "and" at the
14 end of the sentence; in section 5 (b) (9) change the period
15 at the end of the sentence to a semicolon; and at the end of
16 section 5 (b) add the following new paragraphs:

17 "(10) the anticipated impact of public outdoor rec-
18 reation use on the preservation of a proposed national
19 historic trail and its related historic and archeological
20 features and settings, including the measures proposed to
21 ensure evaluation and preservation of the values that
22 contribute to their national historic significance; and

23 "(11) to qualify for designation as a national his-
24 toric trail, a trail must meet all three of the following
25 criteria:

1 "(A) It must be a trail or route established by
2 historic use and must be historically significant as a
3 result of that use. The route need not currently exist
4 as a discernable trail to qualify, but its location
5 must be sufficiently known to permit evaluation of
6 public recreation and historical interest potential. A
7 designated trail should generally accurately follow
8 the historic route, but may deviate somewhat on oc-
9 casion of necessity to avoid difficult routing through
10 subsequent development, or to provide some route
11 variation offering a more pleasurable recreational
12 experience. Such deviations shall be so noted on site.
13 Trail segments no longer possible to travel by trail
14 due to subsequent development as motorized trans-
15 portation routes may be designated and marked on-
16 site as segments which link to the historic trail.
17 "(B) It must be of national significance with
18 respect to any of several broad facets of American
19 history, such as trade and commerce, migration and
20 settlement, or military campaigns. To qualify as na-
21 tionally significant, historic use of the trail must have
22 had a far-reaching effect on broad patterns of Amer-
23 ican culture. Trails significant in the history of
24 native Americans may be included.
25 "(C) It must have significant potential for pub-

1 lic recreational use or historical interest based on
2 historic interpretation and appreciation. The poten-
3 tial for such use is generally greater along roadless
4 segments developed as historic trails, and at historic
5 sites associated with the trail. The presence of rec-
6 reation potential not related to historic appreciation
7 is not sufficient justification for designation under
8 this category.".

9 (13) In section 5 delete subsection (d), and insert a
10 new section 5 (d) to read as follows:

11 "(d) The Secretary charged with the administration
12 of each respective trail shall, within one year of the date of
13 the addition of any national scenic or national historic trail
14 to the System, and within sixty days of the enactment of this
15 sentence for the Appalachian and Pacific Crest National
16 Scenic Trails, establish an advisory council for each such
17 trail, each of which councils shall expire ten years from the
18 date of its establishment. The appropriate Secretary shall
19 consult with such council from time to time with respect to
20 matters relating to the trail, including the selection of rights-
21 of-way, standards for the erection and maintenance of mark-
22 ers along the trail, and the administration of the trail. The
23 members of each advisory council, which shall not exceed
24 thirty-five in number, shall serve for a term of two years and
25 without compensation as such, but the Secretary may pay,

1 upon vouchers signed by the chairman of the council, the
2 expenses reasonably incurred by the council and its members
3 in carrying out their responsibilities under this section. Mem-
4 bers of each council shall be appointed by the appropriate
5 Secretary as follows:

6 "(i) a member appointed to represent each Federal
7 department or independent agency administering lands
8 through which the trail route passes, and each appointee
9 shall be the person designated by the head of such depart-
10 ment or agency;

11 "(ii) a member appointed to represent each State
12 through which the train passes, and such appointments
13 shall be made from recommendations of the Governors
14 of such States;

15 "(iii) one or more members appointed to represent
16 private organizations, including corporate and indi-
17 vidual landowners and land users, which in the opinion
18 of the Secretary, have an established and recognized
19 interest in the trail, and such appointments shall be
20 made from recommendations of the heads of such or-
21 ganizations: *Provided*, That the Appalachian Trail
22 Conference shall be represented by a sufficient number
23 of persons to represent the various sections of the coun-
24 try through which the Appalachian Trail passes; and

25 "(iv) the Secretary shall designate one member to

1 be chairman and shall fill vacancies in the same manner
2 as the original appointment.".
3 (14) In section 5 add a new subsection (e) as follows:
4 "(e) Within two complete fiscal years of the date of
5 enactment of legislation designating a trail as part of the
6 system, and within two complete fiscal years of the date of
7 enactment of this subsection for the Pacific Crest and Ap-
8 palachian Trails, the responsible Secretary shall, after full
9 consultation with affected Federal land managing agencies,
10 the Governors of the affected States, and the Appalachian
11 Trail Conference in the case of the Appalachian Trail, sub-
12 mit to the Committee on Interior and Insular Affairs of the
13 House of Representatives and the Committee on Energy and
14 Natural Resources of the Senate, a comprehensive plan for
15 the acquisition, management, development, and use of the
16 trail, including but not limited to, the following items:
17 "(1) specific objectives and practices to be observed
18 in the management of the trail, including the identifica-
19 tion of all significant natural, historical, and cultural
20 resources to be preserved (along with high potential his-
21 toric sites and high potential route segments in the case
22 of national historic trails), details of anticipated coop-
23 erative agreements to be consummated with other enti-
24 ties, and an identified carrying capacity of the trail and
25 a plan for its implementation;

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1 "(2) an acquisition or protection plan, by fiscal
2 year, for all lands to be acquired by fee title or lesser
3 interest, along with detailed explanation of anticipated
4 necessary cooperative agreements for any lands not to be
5 acquired; and
6 "(3) general and site-specific development plans,
7 including anticipated costs.".
8 (15) In section 6 in the first sentence delete "or na-
9 tional scenic" and insert ", national scenic or national his-
10 toric", and in the second sentence delete "or scenic" and in-
11 sert ", national scenic, or national historic".
12 (16) In section 7 (a) in the first sentence delete "Na-
13 tional Scenic Trails" and insert "national scenic and national
14 historic trails"; in two instances in subsection (b), and in
15 the first sentence of subsection (c), after "scenic", insert "or
16 national historic"; in the fourth sentence of subsection (c),
17 after "trail", insert "and within any high potential historic
18 sites and high potential route segments of any national historic
19 trail"; in subsection (c) in the second proviso, after "recrea-
20 tion" delete "or scenic" and insert ", national scenic, or na-
21 tional historic"; and in the fifth sentence after "recreation"
22 delete "and scenic" and insert ", national scenic, and na-
23 tional historic"; in subsection (d) after "recreation" delete
24 "or scenic" and insert ", national scenic, or national his-
25 toric"; in subsection (e) after "scenic" in both instances

1 where it appears insert "or national historic"; in subsection
2 (h) in the first sentence after "recreation" delete "or
3 scenic" and insert ", national scenic, or national historic",
4 and in the second sentence after "scenic" insert "or national
5 historic"; in subsection (i) after "recreation" delete "or
6 scenic" and insert ", national scenic, or national historic".
7 (17) In section 7 (c) at the end of the fourth sentence
8 insert the following: "Where a national historic trail follows
9 existing public roads, developed rights-of-way or waterways,
10 and similar features of man's nonhistorically related develop-
11 ment, approximating the original location of a historic route,
12 such segments may be marked to facilitate retracement of
13 the historic route, and where a national historic trail par-
14 allels an existing public road, such road may be marked to
15 commemorate the historic route.".
16 (18) In section 7 (e), in the first proviso, delete
17 "within two years".
18 (19) In section 7 (g), delete the second proviso en-
19 tirely.
20 (20) At the end of subsection 7 (g) add the following
21 new sentence: "For national historic trails, direct Federal
22 acquisition for trail purposes shall be limited to those areas
23 indicated by the study report or by the comprehensive plan
24 as high potential route segments or high potential historic
25 sites.".

1 (21) In section 8 in the first sentence of subsection (a)
2 after "establishing park, forest, and other recreation" insert
3 "and historic" and after "administered by States, and recrea-
4 tion" insert "and historic"; and at the end of the first sentence
5 insert the following: "The Secretary is also directed to en-
6 courage States to consider, in their comprehensive statewide
7 historic preservation plans and proposals for financial assist-
8 ance for State, local, and private projects submitted pursu-
9 ant to the Act of October 15, 1966 (80 Stat. 915), as
10 amended, needs and opportunities for establishing historic
11 trails.".

12 (22) In section 10, insert "(a)" preceding the first sen-
13 tence; delete "(a)" in the second sentence and substitute
14 "subsequent fiscal years" for "the subsequent fiscal year";
15 strike paragraph numbered (2) and subsection (b) in their
16 entirety, and insert in lieu the following:

17 "(2) The Oregon National Historic Trail, not to exceed
18 $5,000,000.

19 "(b) Until the entire acquisition program for the Appa-
20 lachian Trail is completed, the Secretary of the Interior shall
21 request the Appalachian Trail Conference to transmit a re-
22 port at the close of each fiscal year to him, the Committee on
23 Energy and Natural Resources of the Senate and to the
24 Committee on Interior and Insular Affairs of the House of

1 Representatives which shall include but not be limited to
2 comments on—
3 "(A) the manner in which negotiations for the ac-
4 quisition program are being conducted for every section
5 of the trail;
6 "(B) the attitudes of the landowners with whom
7 negotiations have been undertaken; and
8 "(C) whether in any case larger interests in land
9 are being acquired than are necessary to carry out the
10 purposes of this Act.
11 "(c) For the purposes of Public Law 95–42 (91 Stat.
12 210), the lands and interests therein acquired pursuant to
13 subsection (a) (1) of this section shall be deemed to qualify
14 for funding under the provisions of section 1, clause 2, of
15 said Act.".

Passed the House of Representatives April 3, 1978.

Attest: EDMUND L. HENSHAW, JR.,
Clerk.

Senator ABOUREZK. As soon as the ranking minority member completes his opening statement, we'll ask the first witness this morning to begin his testimony.

Senator HANSEN. Mr. Chairman, I appreciate the opportunity to make an opening statement.

I would also like to request that the hearing record remain open as there are a number of people and groups interested in these various bills who wish to submit statements for the record and also submit questions to the Department of the Interior.

STATEMENT OF HON. CLIFFORD P. HANSEN, A U.S. SENATOR FROM THE STATE OF WYOMING

Senator HANSEN. I have serious objections to many of the provisions in several bills, most specifically with the House passed version of H.R. 6900, in these specific areas:

(1) It provides for linear Federal acquisition of over 300 miles in Wyoming in yet undetermined segments of the 500 plus miles of the Oregon Trail in that State.

(2) As I understand the bill language, the (4f) and 106 review processes could halt or delay any road, pipeline, transmission line construction across the proposed trail for 2 or more years.

(3) It is redundant legislation that does not give credit to existing and ongoing trail protection afforded in the unit plans of BLM and the U.S. Forest Service in cooperation with the State.

(4) I think many people think of this trail as a great new hiking trail. It is far from that. In reading the historic journals, it is readily apparent that the route was developed for the easiest and best way for the wagons, carts and people to pass as fast as possible through and over a basically hostile place. The Oregon Trail as it crosses Wyoming took the pioneer over the Continental Divide. It was a tough trip with the parties making less than 10 miles a day on the average. Much of the country is high altitude desert. Roads parallel much of the trail today because the migration continues.

Mr. Chairman, allow me to quote from the Secretary of the Interior's report of the Oregon Trail, House Document 95–242. I think it makes a good case as to why H.R. 6900 is redundant and why S. 2705 is a much better approach.

On page 64 of that report under the heading of Public Agencies—Wyoming it reads and I quote.

> Seventy-nine percent of the route in Wyoming (412 miles) is on publicly owned land. Public ownership is considerably greater than in any other state, both proportionally and in miles of route. Most of the visible route segments having trail potential in Wyoming are on public land. A tremendous opportunity exists for providing miles of interpretive and recreational trails at relatively low cost. Public agencies have been more active in Wyoming than in other states in marking cross-country portions of the route for public travel, but more route marking and historic interpretation could be provided along these segments.
>
> The Bureau of Land Management administers 262 miles of the Oregon Trail route in Wyoming. The Bureau is classifying its lands according to their optimum use and is identifying lands primarily of value for recreation. The Oregon Trail route is being incorporated into management plans, and management policy for preservation and administration of historic remnants is being formulated. Notable historic sites along the route have been nominated to the National Register of Historic Places.
>
> The Bureau of Land Management and the Forest Service cooperatively administer the Lander Road for public recreation. This Oregon Trail cutoff route in western Wyoming and eastern Idaho was built by the Federal government in 1858. Although

not considered part of the Oregon Trail primary route, it provides related historic interpretation and recreation opportunities. A public brochure has been prepared to facilitate public use of the Lander Road.

The Bureau of Land Management also has cooperated with local historical societies, particularly in Sublette County, to install markers along 250 miles of the Oregon Trail and Lander Road routes in Wyoming. Such cooperative efforts also have resulted in marking and protecting historic graves and other sites. Three wayside interpretive exhibits, including trail markers, to commemorate the Nation's Bicentennial, have been completed

The National Park Service administers the Fort Laramie National Historic Site in eastern Wyoming. A military post here was a major way station for Oregon Trail emigrants, providing protection from Indians, limited supplies, and repairs. The Park Service has partially completed restoring the site's buildings and grounds.

The Long-standing interest of public agencies and private groups accounts for the large number of Oregon Trail historic sites identified in Wyoming. Among the earliest historic commemorative efforts were those of the Sons and Daughters of the American Revolution, who began erecting monuments along the Oregon Trail and other historic routes in 1894. In 1913, the State created a commission to mark the Oregon Trail and historic sites. Many of the early markers and monuments erected along the route are still in existence.

The Director of the State Recreation Commission is the State Historic Preservation Officer under the National Historic Preservation Act, and also administers the Land and Water Conservation Fund. The Commission administers State parks and other public recreation areas, including six recreation areas and numerous historic sites related to the Oregon Trail. Historic preservation and interpretive development by citizen groups is facilitated by the Commission's authority to grant permission to these groups to improve, alter, or restore a historic landmark or site. The Commission employed Mr. Paul Henderson to conduct research on the location of the Oregon Trail and other historic routes. Mr. Henderson has pursued his investigations for many years, and is an acknowledged expert on the location of the eastern half of the Oregon Trail.

The Wyoming State Archives and Historical Department collects, preserves, displays, and interprets materials illustrating the State's history and development. These materials include documents, artifacts, and artwork related to the Oregon Trail. They are made available to the public and researchers through a library, publications, a State and branch museums, and a State art gallery. The Department also serves as executive headquarters for the Wyoming State Historical Society.

The Wyoming Travel Commission conducts promotional activities for the State's large tourism industry. The Commission recognizes the value of the Oregon Trail to tourism, and works closely with the Recreation Commission on promotional activities related to the route.

Much of the Oregon Trail route through Wyoming is followed closely by public roads administered by the Wyoming Highway Department. The Highway Department coordinates with the Recreation Commission in the provision of interpretive signs and facilities along highways and at safety rest areas. The two agencies also coordinate planned highway construction to provide for preservation and public use of historic sites along the proposed rights-of-way.

Two private organizations actively concerned with historic preservation are the Wyoming State Historical Society and the Wyoming Archeological Society. The former has 21 chapters located in all but two of Wyoming's counties. Many are active in Oregon Trail-related preservation projects. The Archeological Society's eight chapters perform investigative work related to the Oregon Trail and other historic routes and sites.

Land use and its effect—Wyoming

Much of the land along the primary route in Wyoming has traditionally been used for grazing by both wild and domestic animals. Most of this land has never been cultivated. Thus, many miles of the historic trail route remain visible.

Twenty-one percent of the route is in private ownership. Most of this portion follows irrigated valleys where farming has largely erased trail remnants. Wyoming is a sparsely populated State, and urban development has disturbed little of the Oregon Trail.

Mr. Chairman, that report makes a pretty good case that the approach in H.R. 6900 is wrong. It's the wrong rider on the wrong horse. I wish to read into the record a letter from Wyoming Governor Ed Herschler as follows:

WYOMING EXECUTIVE DEPARTMENT,
Cheyenne Wyo., April 27, 1978.

Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: Thank you for your letter on H.R. 6900 and other national trail bills. I share your concern about the vagueness of this legislation and its potential impact upon Wyoming.

The basic approach of designating the entire route as an "historical trail" is mistaken. I can see the need for designating the entire route of trails under the "scenic" category, where the concern is for recreational and hiking uses. However, much of the Oregon Trail route is lacking in scenic values and will not attract recreationists, particularly in comparison to our fine mountain trails.

I agree with the proponents of this legislation that it is important for us to commemorate important historical routes and to provide special protection for certain areas such as Independence Rock and South Pass City, as you noted. I also support your suggestion for uniform federal marking and interpretive signs along the route.

But, to accomplish these goals, it is not necessary to give a federal agency the potential to devise a plan for federal acquisition of the entire trail, as H.R. 6900 would do. Senator Church's bill also goes too far in this respect.

The tools are in hand to adequately protect these historic trails through existing laws, BLM, Forest Service, and state and local land planning and activities of state and local historical groups.

If any further legislation is needed, it should be limited to historic commemoration, provisions for marking the trails, and a program of federal assistance to state and local governments and private interests in protecting specific historic sites on the trail.

The protection for transportation and utilities in Title IV of Senator Church's bill is commendable. I suggest that this same immunity be extended to holders of federal leases and permits for grazing, mineral exploration and development, and other purposes.

Please include my letter in your hearing record.

Yours sincerely,

ED HERSCHLER.

Senator ABOUREZK. Before we get into the testimony I'd like to announce that the Lewis and Clark Trail goes through South Dakota, and we have some people from South Dakota in the audience that I would like to introduce.

Buck Moore, Bobby Moore and Dave McNeal, from South Dakota, who are interested in the Lewis and Clark Trail who just stopped by to see how things are going.

Now our colleague from Alaska, Hon. Mike Gravel. It's one of the Gold Rush trails that Mike is interested in. And if you are prepared, Mike, to testify, we are ready to hear you.

STATEMENT OF HON. MIKE GRAVEL, A U.S. SENATOR FROM THE STATE OF ALASKA

Senator GRAVEL. Thank you very much, Mr. Chairman. I'd like to ask that my detailed statement be placed in the record.

Senator ABOUREZK. Without objection.

Senator GRAVEL. I will briefly summarize. In the last Congress I introduced an Iditarod Trail bill which created an historical trail category for the Iditarod Trail. The present bill that Senator Church has introduced and I have cosponsored, includes my proposal.

I also have the same proposal in the (d)(2) legislation that I've introduced. But I think it's more proper for you to pass it out as part of this omnibus piece of legislation.

The trail that we have is 2,000 miles long, and it does commemorate the Gold Rush era, in point of fact, the last major gold rush in the United States, the Iditarod strike in 1910. But the portions of the trail have been used for centuries by native people.

It's not a summer hiking trail which would be the type of trail that you'd have on the east coast and in other parts of the United States, because a lot of the trail is over frozen waters, railroads and peasant roads.

It would be very important—and I really want to underscore this—that this trail system that we would bring about here should not prohibit off-road vehicles because that would be one of the major uses of the trail system that we would establish in this regard.

Another facet is the trail should not be used as a possibility of impairing development or growth in Alaska when and where it's needed because this trail, being 2,000 miles long, bisects the entire State, and it should accommodate the normal utility or transportation systems that obviously will come about in the future.

Mr. Chairman, the first Iditarod race was in 1967. And I think both of you will have some appreciation as to how unusual this trail system would be.

In 1967, the race was a dog sled race done in the month of March, and at that time was 500 or 600 miles.

Today, the race goes from Anchorage to Nome, it takes some 3 weeks, and it's done by dogsled by both men and women. And I want to assure you it takes some kind of a hearty human being to be able to endure the rigors to accomplish that kind of race.

I have a certain emotional attachment, not only because of this unusual trail system for Alaska, but the first winner of the Iditarod Trail race was a native by the name of Isaac Othasic, who I sponsored back in 1967. So with my real estate enterprise at the time my little banner was on that dogsled that won the first Iditarod race.

Senator ABOUREZK. You got a lot of publicity out of it though, didn't you?

Senator GRAVEL. At the time I needed it.

I would just want to really press the committee to include this trail system. It's something that's very popular in Alaska and it's something that really epitomizes what a part of Alaska is all about: Gold Rush; the heartiness of our individuals; and the rigors of the Arctic climate as we try to transport or go across the tundra.

I appreciate your consideration and hope the committee will pass it out.

Senator ABOUREZK. Thank you very much.

[The prepared statement of Senator Gravel follows:]

STATEMENT OF HON. MIKE GRAVEL, A U.S. SENATOR FROM THE STATE OF ALASKA

Mr. Chairman, thank you for the opportunity to appear before this committee today on legislation which I have been in strong support of—the creation of a new system of historic trails within the National Trails System and the designation of the Iditarod Trail in Alaska as a national historic trail.

Last Congress I introduced legislation—reintroduced this Congress as S. 929—to create a category of historic trails and to name the Iditarod National Historic Trail. Since that time several other bills have been introduced designating potential historic trails, and legislation dealing with several of these trails has cleared the House. Recently I joined with Senator Church and others in co-sponsoring an

omnibus trails bill which includes all the proposed historic trails. The inclusion of the Iditarod Trail in this legislation is very appropriate and, with several small changes, I stand in full support of this legislation.

The Iditarod Trail with its major branches and alternate routes stretches nearly 2,000 miles between Seward and Nome, Alaska. The various routes were used first by Native peoples and later by those seeking gold during the famous Alaskan Gold Rush days at the turn of the century. Some segments were used in the stampede to the Nome beaches in 1898–1900. However, the name of the trail is taken from the gold fields along the Iditarod River. The rush to the Iditarod in 1910 was the last major gold rush in North America and closed out one of the most colorful eras of American history.

The trail which was blazed through the Alaskan wilderness to Iditarod continued to be used until the mid-1920's when the age of the "bush pilot" came in. Primarily a winter route, the trail served as the only communication and transportation link with the "Outside" for Nome, Iditarod and many other gold mining boom towns during the six to eight months when the rivers and seas were frozen.

Today a few segments near population centers are being used as recreational trails by dog mushers, cross-country skiers, snow-machiners, hikers and other outdoor enthusiasts. Some segments are still used as winter transportation links between remote Alaskan villages. Other segments have been overlain by roads and the Alaska Railroad, while still other segments remain as faint to non-existent traces through Alaska's "bush". In commemoration of the historic trail and to the vital role of dog mushing in Alaska's history, a 1,000-mile dog sled race has been held annually since 1973 between Anchorage and Nome. This race remains the supreme test of man and dog with travel conditions and stamina requirements varying little from that experienced by mushers 80 years ago.

Although all the bills designating the Iditarod Trail contain very similar provisions, there are some differences where I have some concerns which I hope the Committee will address in its mark-up of this legislation. The House-passed bill and S. 2974, the omnibus historic trails legislation, both modify the fourth sentence in section 7(c) of the National Trails System Act to prohibit off-road vehicle uses on "high potential route segments". Because off-road vehicles, primarily snowmachines, are so much a part of the Iditarod route—both for recreation and basic transportation—I do not favor such a blanket prohibition on off-road vehicles in this legislation. Rather, I recommend that the language in section 7(c) remain unchanged and that vehicles be controlled by the trail manager on a case-by-case basis.

It is important to emphasize that the Iditarod Trail was found by the Department of the Interior to not qualify as a national scenic trail due to large stretches of the route having very low potential as developed, hiking-type trails such as the Appalachian Trail. The Iditarod also was found to be unqualified due to the use of off-road vehicles along many portions, and due to development of roads and a railroad over portions of the route.

Another concern which I understand is shared by others supporting this historic trails legislation is that the designation of the route not be used to impede or prohibit the normal upgrading and work on existing transportation systems which would be designated as part of the historic trail or to block the development of new transportation or utility systems across or along portions of the route. This is especially important in the case of the Iditarod where the route almost bisects Alaska, a state where our surface transportation system is currently minimally developed, and future expansions are as yet unknown but likely.

The provisions contained in title IV of S. 2974 appear to address this problem adequately and I endorse their adoption in the final measure considered by this committee. In addition, however, I think that some provision is necessary to address potential problems with section 4(f) of the National Transportation Act. This section provides that no federal actions may be taken affecting historic or recreation sites unless there is no prudent and feasible alternative, and if there is none, that substantial mitigation be done. Although I strongly endorse such measures for specific historic sites which may exist along the designated route such as road houses and historic mine sites, I do not think the entire route should be considered a "historic site" under the terms of section 4(f). This could significantly impact construction of new transportation systems in Alaska as well as the reconstruction of roads and railroad which would be designated as part of the route. Attached is language which I submit for your consideration in addressing this possible problem.

I think this legislation would be a fitting and valuable addition to our cultural heritage protection program. I urge the committee to take swift action on the legislation. My staff and I will provide any additional comments and assistance you may need in working out the concerns I have discussed.

(c)(1) The provisions of section 1203 do not prohibit the construction, reconstruction, or improvement of roads, highways, railroads, or water transportation routes which may be designated as part of a historic trail.

(2) Notwithstanding any other provision of law, the designation of the Iditarod Trail as a historic trail shall not prohibit the construction of new transportation or utility systems across or along portions of the trail right-of-way.

(3) The provisions of this section shall not be construed as designating the general historic trail corridor of the Iditarod Trail as a "historic site of National, State, or local significance" as that term is used in section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)).

[Telegram]

WASILLA, ALASKA, *April 27, 1978.*

Senator MIKE GRAVEL,
Washington, D.C.

The use of the historic Iditarod Trail for the annual running of the Iditarod Trail sled dog race from Anchorage to Nome has helped focus attention on this vast trail system. Many hickers and skiers as well as dog mushers are enjoying this trail that encompasses some of the most beautiful country in the world, to insure that this trail remains open to all in the future is of utmost importance. On behalf of the Iditarod Committee I should like encourage the support of all concerned for the passage of Senate bill 2974.

DICK MACKEY, *President.*

Senator HANSEN. I do have one question, Senator Gravel.

Under the (d)(2) legislation, there is a possibility certainly—maybe more likely or probability might be a better word—that this trail could be within areas that might be designated as wilderness.

If I understood you, you recommended that it not be declared, that off-road vehicle use be permitted along the trail. Was that your recommendation?

Senator GRAVEL. Yes.

Senator HANSEN. What would be your recommendation as to the inclusion of any of the land through which this trail would immediate pass in the wilderness designation,

Senator GRAVEL. If at a subsequent date sectors of this area, this 2,000 mile area, chosen to be wilderness areas then obviously you could restrict the off-road vehicles if you chose to do it. We hope that in our wilderness designation that there will be more accommodation that would come about. But I think that's a decision that could be made at a later time.

Certainly one would not preclude the other and the Congress can always act at a later time. It would take the Congress to act on a wilderness area, but I think right now all I'm asking for is for the designation of this 2,000 mile trail. And it truly would do us a great disservice to not permit road vehicles.

Senator HANSEN. Well if I understand your suggestion with respect to wilderness administration in Alaska, are you proposing that a different set of rules apply to wilderness in Alaska than apply in the lower 48?

Senator GRAVEL. No question at all. I think that our situation is somewhat unique. In a wilderness area in the south 48 you can approach its peripheral areas and go into it. You really don't have that kind of a situation in Alaska. In many cases, the only way you could get into that wilderness area is by float plane. That's something that's not permitted in the south 48.

Senator HANSEN. And you would recommend it up there?

Senator GRAVEL. Oh, no question. I think the environmental community recommends it up there also.

But actually the use of off-road vehicles, I think when you're talking about bisecting the state 2,000 miles, that would be the general caveat of what that trail system would permit.

Now, if later, you decided that there would be certain segments that would be wilderness areas, and you wanted to find more precisely how you would have access to that, I would have no problem of making that decision at a later time. It's a product of study.

So I would not prejudge the nature of that wilderness definition in the future.

Senator HANSEN. I have no further questions.

Senator GRAVEL. I think, if I might add, one of the difficulties of instant wilderness is that you don't have the ability to acquire the knowledge to make the proper judgment that you would want in the future.

If I could only add, I would hope that the committee would be very deliberate and take its time in the (d)(2) legislation. There's no rush on that particular subject.

Senator HANSEN. That's on the question of instant. Is your recommendation that we do not rush into that?

Senator GRAVEL. Rush into the whole bill. I'd slow down.

Senator HANSEN. Thank you.

Senator ABOUREZK. Thank you very much, Senator Gravel.

Senator GRAVEL. Thank you.

Senator ABOUREZK. The two Senators from Utah, Orrin Hatch and Jake Garn, are here, and we'd like to welcome them to the committee.

The Honorable James Johnson, Congressman from Colorado, introduced the legislation in the House side and he's asked that a statement be inserted in the record here.

[The prepared statement of Mr. Johnson follows:]

STATEMENT OF HON. JAMES P. JOHNSON, A U.S. REPRESENTATIVE FROM THE STATE OF COLORADO

Mr. Chairman and Members of the Subcommittee, it is a pleasure to express my support and encouragement for legislation to amend the National Trails System Act of 1968 to provide for the inclusion of historic trails in the National Trails System. As sponsor of the Oregon Trail Bill, H.R. 6900, I look with enthusiasm on the inclusion of the Oregon Trail and additional trails, under a new category of historic trails.

As you know, in addition to the Pacific Crest and Appalachian Trails, which were the initial components of the National Trails System, the 1968 Act directed the Secretary of the Interior to study a number of routes as candidates for scenic trails status. Such a study has been completed for the Oregon Trail, and it recognizes the need for a unique category for trails which are primarily recognized for their historic significance, such as the Oregon Trail.

Historians agree that, in terms of length and use, the Oregon Trail is the most significant emigrant wagon route in our Nation's history. Over 250,000 pioneers traveled its path, which stretches over 1,900 miles from Missouri, through Kansas, Nebraska, Wyoming, Idaho, Oregon, and along the border of Washington State. The trail developed as a natural route, with little construction work, following a course along grades the wagons could easily ascend, and along which emigrants could seek water and grass for livestock.

The primary route to be commemorated is that used by Willamette Valley, Oregon bound emigrants from 1840 to 1848. Those who set out were largely Mississippi Valley farmers seeking new lands suitable for the agriculture they knew. Much of the Oregon fever came in response to missionary appeals for help. A

territorial government was established in 1848, by which time some 12,000 emigrants had made the trip. Over 700 pioneers left diaries and journals, giving us a look at the Oregon Trail experience, which was the most significant adventure in the lives of these pioneers.

Many trail remnants exist today, although largely unknown to the public, such as the emigrant campsite near Mountain Home, Idaho, where natural hot springs were used by pioneers for cooking food. Without Federal legislation dealing with the Oregon Trail, there is the danger such historic sites will be lost. If preserved, the many landmarks along the trail can provide a way of reliving the experience of the pioneers in our westward expansion.

Along the trail, forty-eight segments, totaling 1,082 miles, were found to have high potential for public use by the Interior Department study of the trail. Fourteen segments are close to, or overlain by, roads and highways, fifteen are cross country, and the remaining nineteen are both roaded and cross country.

Of the thirty-four wholly or partially cross country segments, thirty warrant establishment as interpretive trails, totaling about 324 miles of trail. These are segments where there are remains of the wagon wheel ruts, where historic remnants or imprints of integrity remains, or where some particularly historic event occurred. These segments would be signed and developed for public enjoyment, and protected to provide future generations a first hand look at our nation's westward growth.

The emigration along the Oregon Trail is one of the most dramatic events in American history in my mind, and has been from the time, as a boy, I read the book "The Oregon Trail," by Francis Parkman. I have had the opportunity, and it is a very memorable experience, to go along the area of this trail where one can see the wagon ruts still in the sod along the trail. There are some places in Wyoming where artifacts have been uncovered, such as dolls lost by children, knives, forks and other utensils that were discarded or lost by the pioneers as they traveled the trail. Such remnants are still gradually being uncovered in certain areas by the wind.

There are many historic trails in this country which ought to be preserved or at least marked so that travelers can recognize them. The addition of a historic trails category will serve the unique requirements of preservation and commemoration of the Oregon Trail and other historic trails. These trails, especially those associated with the westward expansion of our nation, cover long miles of rough terrain, passing through segments of country lacking the scenic qualities expected of national scenic trails. Unlike the Appalachian and Pacific Crest Trails, which developed as hiking trails for the purpose of enjoying the natural beauty their paths had to offer, the historic trails were utilitarian in nature. However, they are of unquestionable importance because of the roles they have played in our nation's history.

The Administration supports designation of the Oregon Trail under the new category of national historic trails, and I am pleased to note the language of S. 2974, introduced by Senator Frank Church, to designate certain historic routes in addition to the Oregon Trail, is essentially the same as H.R. 6900, with the exception of Title IV of S. 2974.

STATEMENT OF HON. JAKE GARN, A U.S. SENATOR FROM THE STATE OF UTAH

Senator GARN. Thank you very much, Mr. Chairman. Although this is Senator Hatch's bill primarily as the chief sponsor, and I'm cosponsoring, I'm going to go first and very briefly because there is a markup in Banking.

Mr. Chairman, I am pleased to join with Senator Hatch before the subcommittee this morning to testify in support of legislation establishing a system of historic trails for the Nation and designating the Mormon Trail as a historic trail.

In particular, I am supporting our own bill, S. 2705, but I am aware that the Mormon Trail has been included in various other bills.

We would be happy to see the Mormon Trail move toward official designation by Congress, either alone or in tandem with other significant trails from our Nation's history.

I wish to emphasize, Mr. Chairman, that our bill does not contemplate the taking of land not already in public domain. Under

the legislation, areas already owned by the Federal Government where the original Mormon pioneers treked would be marked and designated by the Secretary of the Interior. Areas outside the Federal domain could also be designated by the Secretary if the owners of the land, State or local governments or private owners, were willing.

We have no desire to create an enormous linear park, which could have serious land use implications. In fact, much of the Mormon Trail parallels segments of the Federal highway system.

In my opinion, what would be most appropriate would be historic markers, some interpretive displays, conservation of trail remnants, and so on. To some extent, that has already been done along the Mormon Trail; our bill would simply permit completion of the preservation of this important part of our pioneer heritage.

Such preservation is important, Mr. Chairman. It is impossible to exaggerate the importance of the Mormon exodus on the cultural patterns of the people of the State of Utah. Those whose ancestors died or were born along that trail of tears all experience a unifying feeling, a oneness with forebears willing to undertake any sacrifice for the sake of liberty of worship. Those who live in Utah who are not descended from the original pioneers nevertheless share a similiar heritage, and must stand in awe of the accomplishments of these simple people of the last half of the 19th century.

As transportation becomes easier, it is harder to communicate to our children the stark reality of the trek West. Now we drive it in a day or two; or we fly it in an hour or two. Unless we preserve the remnants of the trek, it will become impossible for us to identify with those who died pushing handcarts from Missouri, or who walked barefoot in the snow from winter quarters. The trek westward along the Mormon Trail is one of the great unifying experiences in the lives of a people. We want to preserve that experience and this bill will help us do it.

That will conclude my remarks, Mr. Chairman. I thank you very much. And unless you have any questions at this time, I would ask if I could be excused to go defend the national institutions of this country.

Senator HANSEN [presiding]. I do have one question, Senator Garn. The Mormon Trail and the Oregon Trail in Wyoming follow the same route. Two different legislative management directives would be a fiasco, in my opinion. Do you agree?

Senator GARN. I agree.

Senator HANSEN. Thank you, sir.

Senator GARN. I see no conflict. As I said in my testimony, I don't care whether it's enacted separately or in conjunction with other bills or that through Wyoming we had markers that designated it and notified that it was both Oregon and the Mormon Trail as well. We think that's entirely appropriate.

Senator HANSEN. Thank you, sir.

Senator Hatch, we're pleased to have you here. We look forward to hearing your testimony.

STATEMENT OF HON. ORRIN G. HATCH, A U.S. SENATOR FROM THE STATE OF UTAH

Senator HATCH. I am pleased to be here, Senator Hansen.

The Mormon pioneer trail itself covers a distance of approximately 1,300 miles from Nauvoo, Ill. to Salt Lake City, Utah, passing through Iowa, Nebraska, Wyoming, and Utah. It is of major significance in the history of the development of the West.

It was over this same trail that many of the gold rush miners and the settlers of the Northwest Territory and the colorful southwest traveled. Over this trek 10,000 Mormon faithful and tens of thousands of other pioneering Americans left the established boundaries of the United States in a great exodus and carved new homes, new towns, and productive lives out of an unknown and often hostile environment.

From the original vanguard led by Brigham Young in 1846–47 until the linking of the transcontinental railroad at Promitory Point, Utah in 1869, more than 50,000 struggled over the trail to make a new life. The results of their efforts are evidenced by the vast metropolitan and rapidly burgeoning areas of the Western United States.

Unfortunately, some segments of that once heavily traveled trail have disappeared or become inaccessible as towns, highways, fences, industry, canals, reservoirs and the clutter of civilization has spread across the landscape. Many of the previous artifacts and historical landmarks are now gone. Except for a few isolated wagon ruts, most evidence of the trail itself has long vanished.

Dr. Stanley B. Kimball, professor of history at Southern Illinois University and an expert on the trail, has said "The physical dimension of our pioneer trail heritage is slowly disappearing. We should identify and preserve what is left."

The U.S. Department of the Interior's Bureau of Outdoor Recreation has done a careful evaluation of the trail based on detailed mapping and studies by Dr. Kimball who has traveled over most of the trail nine different times.

In describing the significance of this trail, Dr. Kimball explained:

> Even though in most places, little or no physical evidence of the trail is visible, there is powerful impact in being able to see the same ground the pioneers traveled. The experience of the trail, the crossing of the plains, become a great event, not only in the lives of the pioneers, but in the minds of their descendants. It became a rite of passage, a test of faith.

The Mormon experience in crossing the plains was different from other Americans who came West. The pioneers uprooted and transplanted a whole people, an entire culture.

For their journey westward from Nauvoo, Ill., Brigham Young set forth the organization and rules by which the Mormon people would travel. For example, Brigham had the company count off and nominate officers. They were directed to organize themselves into tens, fifties and hundreds.

During 1847, these groups were organized in semimilitary fashion with Brigham Young as General and others serving as company captains, hunters, and scouts.

Before leaving, Brigham had the company called together and spelled out the rules and discipline which would be in effect for the whole journey. Nine rules were laid down for the conduct of the trek, a set of laws everyone was expected to follow.

Unlike most of the California or Oregon-bound emigrants, the first thoughts of Brigham Young's pioneer company were to im-

prove the journey for the Mormons who would follow. They "noted good campgrounds, wood, water, grass, measured distances and set up mileposts."

The Mormons established semipermanent camps and ferries, graded down the steep approaches to fords, and cleared boulders out of the path. They not only traveled West, but also eastward to pick up supplies and new converts at the Missouri River, or to meet faltering companies and help them on to Salt Lake City.

Existing national monuments, Federal, State and local recreation areas, and scenic tour routes provide a full range of outdoor recreation opportunities along or accessible from the Mormon Trail.

Many historic points along the 1,300-mile route have high potential for historical interpretation and/or recreation. National recognition would enhance the importance of historic values commemorated at these sites and encourage preservation and interpretive facilities for a trail now considered only part of a broad migration corridor to the West.

There are significant segments of the trail and adjacent trails which were used by early-day Indians, ancient cliff dwelling tribes, explorers, missionaries, fur traders, mountain men, and the fabled miners. Ghost towns, mining operations, museums, and reconstructed "boom towns" associated with the Old West are in evidence along the trail corridor.

Many developed geographical regions along the trail provide excellent opportunities for fishing, camping, hiking, picnicking, and historical interpretation. Such areas include rivers, wayside rest areas, historical sites and recreation developments.

Now we have a complete and lengthy statement, Mr. Chairman, and I would ask unanimous consent that it be included in the record in full.

Senator HANSEN. Without objection, it will be included.

Senator HATCH. If I might just add one or two additional things.

The Mormon Trail was identified in the act for future study and possible inclusion as a national scenic trail. The bill I have introduced, S. 2705, establishes a new category of historic trails under the National Trails System Act and includes the Mormon Trail as such.

I believe from what I have said and the studies done with respect to this trail that it should be recognized as a national historic trail rather than a national scenic trail. The trail itself does have some very appealing scenic characteristics along various portions; nevertheless, I feel that the greater role it has played in our Nation's past is one of historical significance rather than scenic beauty.

The Department of Interior has prepared an excellent report pursuant to the National Trails System Act, Public Law 90-543, to determine the feasibility and desirability of designating the Mormon Trail as a component of the National Trails System. Their findings indicate, among other things, that this route of the Mormon Pioneers merits national recognition commemorating its unique place in American history.

In addition, 23 segments of the route, totaling approximately 700 miles and approximately 75 Mormon Trail sites, were identified as having a high potential for recreation, historical interpretation, and public use.

The study recommends the following:

(1) The route be designated as the Mormon Pioneer National Historic Trail and declared a component of the National Trails System;

(2) The Secretary of the Interior encourage and assist Federal, State, local, and private interests to use existing Federal and State programs in further planning and development of the unique and significant recreational and historical aspects of the Mormon Trail identified in this report as high-potential route segments;

(3) Close coordination be established and maintained among the public and private entities involved with the future planning and development of the Oregon and Mormon Trails to encourage the provision of complementary services and facilities and avoid duplication of effort;

(4) The existing voluntary organizations of public and private entities be expanded to coordinate the planning, development, operation, and maintenance activities relating to the Mormon Historic Trail; and

(5) To enhance the enjoyment of those traveling along the route to other destinations and to facilitate retracement and connect the historic sites and recreation areas, the route of the Mormon pioneers be marked along public roads and highways which approximate the actual historic migration; the trail be marked by the States with directional signs; and $300,000 in Federal funds be made available for this purpose.

The Department of the Interior has expressed its willingness to assist in any way they can in implementing these recommendations.

May I point out, as my senior Senator also did, that this bill does not ask for acquisition of any Federal, State, or privately owned lands. It merely provides for a designation of the trail in order to establish and preserve what remains for the enjoyment of those utilizing public highways and facilities along the trail route. Our posterity will be the beneficiaries of a piece of history that will be visibly marked and developed. This will be of immeasurable value as the number of uses for land continues to grow.

I wholeheartedly accept the recommendations of the Department of Interior study and would like to urge the committee to do the same and to work as expeditiously as possible on the passage of this bill.

It is a part of our history which should be preserved for future generations of America.

Thank you for the opportunity to testify on this most important subject.

[The prepared statement of Senator Hatch follows:]

STATEMENT OF HON. ORRIN G. HATCH, A U.S. SENATOR FROM THE STATE OF UTAH

It was during the Romantic Age of America's history that a strong, rugged, God-fearing people etched a trail across America's vast, barren wilderness. It was during the same unforgettable Age of Reformation that such great literary giants as Edgar Allan Poe, Nathaniel Hawthorne, Herman Melville and Walt Whitman flourished. Culture, education and art spread, and so did religion. Thomas Jefferson's classically interpreted 17th Century ideas regarding separation of church and state continued as a living truth.

By far the most important of the religious communities of this era in the establishment of a free sense of worship were the Mormon. From a remarkable Vermont beginning and with a small band of followers, an Ohio Mormon community was established in 1831. The Mormons were known then, as they are today, as an industrious hard-working people. Their dedication, faith and economic efficiency attracted large numbers of converts. Due in a large degree to their establishment of a new religion in relatively orthodox communities and as a consequence of their sense of being a chosen people, they also roused resentment among nonbelievers. This was to mark the beginning of their harsh and prolonged persecutions. They were forced to move to Missouri and then in 1839 back to Illinois where they founded Nauvoo on the banks of the Mississippi River. One may see today the beauty of a city established single handedly as a result of the hard work of a group of united and blessed people. Nauvoo flourished, and by 1844, it was the largest city in the state, with a population of 15,000. However, despite their hard work in establishing Nauvoo, they again ran into local resistance which rose up against them. Their prophet leader, Joseph Smith was arrested and later murdered by a mob.

I'm sorry to say that the United State itself was guilty of some of these persecutions. When their enemies had over-reached their legal rights, and the Mormon people petitioned our government for redress, none was found. The government forced the Mormon people, who sincerely believed that the Constitution of the United States was inspired by deity, to leave their country and live outside its confines.

Under a new leader, Brigham Young, the Mormons decided to seek a haven beyond the frontier.

The original company of Mormon pioneers marched westward, fording the Mississippi and Missouri Rivers, across the open expanses of midwestern plains, pressing through the mountains until in 1847 they reached the then, desolate wilderness on the shores of the Great Salt Lake, beyond the Wasatch range of the Rocky Mountains. There, at last, after years of tremendous trials and tribulations, they established their Zion and began to make their truly significant impact on American history. Through the years that followed, more handcart and covered wagon companies braved their way across this new territory in an epic journey. Two of the handcart companies were late in starting during the 1850's. The onset of winter trapped one company in Wyoming and the other in Nebraska. Together, over 400 lives were lost. Many of these people are buried right at the side of the Trail. I think it is thus apparent that this Mormon trail was literally paid for in enormous measures of human sacrifice and death.

Upon arriving in the Salt Lake Valley, a barren wasteland of parched rangeland and sagebrush awaited the pioneers. The techniques of irritation were learned and utilized and made the desert flourish, precious water being wisely treated as a community asset. This desolate desert, which was once the subject of an offer by Jim Bridger in which he promised $1000 to the first person that could grow a bushel of corn in the valley, was miraculously transformed through time and was made to "blossom as a rose". Trades and industries were quickly introduced. Hard, cooperative, intelligently directed effort spelled growth and prosperity; over 11,000 people were living in the area when it became part of the Utah Territory as a result of the Compromise of 1850. Eventually the communal Mormon settlement broke down, but the religion has remained, along with a distinctive Mormon culture, which has been the major force in the shaping of the intermountain West. Salt Lake City is still known today as "the crossroads of the West" because of the strategic location it has played in bridging the gap and linking the west and pacific northwest with the midwestern states. The Mormon Church is still by far the most powerful single influence in Utah and a thriving organization in many other parts of the United States and the world.

The trail itself, covers a distance of approximately 1,300 miles from Nauvoo, Illinois to Salt Lake City, Utah and passing through Iowa, Nebraska, Wyoming and Utah. It is of major significance in the history of developing the West. It was over this same trail that many of the "Gold Rush" miners and the settlers of the Northwest Territory and the colorful southwest travelled. Over this trek 10,000 Mormon faithful and tens of thousands of other pioneering Americans left the established boundaries of the United States in a great exodus and carved new homes, new towns, and productive lives out of an unknown and often hostile environment. From the original vanguard led by Brigham Young in 1846–1847 until the linking of the trans-continental railroad at Promitory Point, Utah in 1869, more than 50,000 struggled to make a new life. The results of their efforts are evidenced by the vast metropolitan and rapidly burgeoning areas of the western United States.

Unfortunately, some segments of that once heavily travelled trail have disappeared or become inaccessible as towns, highways, fences, industry, canals, reservoirs and the clutter of civilization has spread across the landscape. Many of the precious artifacts and historical landmarks are now gone. Except for a few isolated wagon ruts, most evidence of the trail itself has long vanished. Dr. Stanley B. Kimball, professor of history at Southern Illinois University and an expert on the trail has said, "The physical dimension of our pioneer trail heritage is slowly disappearing. We should identify and preserve what is left."

The U.S. Department of the Interior's Bureau of Outdoor Recreation has done a careful evaluation of the trail based on detailed mapping and studies by Dr. Kimball who has travelled over most of the trail nine different times. In describing the significance of this trail, Dr. Kimball explained:

"Even though in most places, little or no physical evidence of the trail is visible, there is powerful impact in being able to see the same ground the pioneers travelled. The experience of the trail, the crossing of the plains, became a great event, not only in the lives of the pioneers, but in the minds of their descendants. It became a rite of passage, a test of faith."

The Mormon experience in crossing the plains was different from other Americans who came West. The pioneers uprooted and transplanted a whole people, an entire culture.

For their journey westward from Nauvoo, Illinois, Brigham Young set forth the organization and rules by which the Mormon people would travel. For example, Brigham had the company count off and nominate officers. They were directed to organize themselves into tens, fifties and hundreds. During 1847, these groups were organized in semi-military fashion with Brigham Young as General and others serving as company captains, hunters, and scouts. Before leaving, Brigham had the company called together and spelled out the rules and discipline which would be in effect for the journey. Nine rules were laid down for the conduct of the trek, a set of laws everyone was expected to follow.

Unlike most of the California or Oregon-bound emigrants, the first thoughts of Bringham Young's pioneer company were to improve the journey for the Mormons who would follow. They "noted good campgrounds, wood, water, grass, measured distances and set up mileposts." The Mormons established semi-permanent camps and ferries, graded down the steep approaches to fords, and cleared boulders out of the path. They not only travelled west, but also eastward to pick up supplies and new converts at the Missouri River, or to meet faltering companies and help them on to Salt Lake City.

Existing national monuments, Federal, State and local recreation, and scenic tour routes provide a full range of outdoor recreation opportunities along or accessible from the Mormon Trail. Many historic points along the 1,300-mile route have high potential for historical interpretation and/or recreation. National recognition would enhance the importance of historic values commemorated at these sites and encourage preservation and interpretive facilities for a trail now considered only part of a broad migration corridor to the west.

There are significant segments of the trail and adjacent trails which were used by early-day Indians, ancient cliff-dwelling tribes, explorers, missionaries, fur traders, mountain men, and the fabled miners. Ghost towns, mining operations, museums, and reconstructed "boom towns" associated with the Old West are in evidence along the trail corridor.

Many developed geographical regions along the trail provide excellent opportunities for fishing, camping, hiking, picnicking, and historical interpretation. Such areas include rivers, reservoirs, wayside rest areas, historical sites and recreation developments.

The story of the Mormon Trail and the thousands who experienced hardship on their journey to the Valley of the Great Salt Lake have been described in many publications and diaries. Public interest in preserving, commemorating, and interpreting the history of the Mormon Trail has been evident for many years. State and local historical societies in my State of Utah, as well as other States where the trail is located, have erected various markers and memorials along the route.

The National Trails System Act of October 2, 1968 (Public Law 90-543) established a policy for a national system of trails and created three types of trails: national recreation trails, national scenic trails and connecting or side trails. This act also prescribed the methods by which, and the standards according to which, additional components could be added to the National Trail System in the future.

The Mormon Trail was identified in the Act for future study and possible inclusion as a national scenic trail. The bill I have introduced (S. 2705) establishes a new category of historic trails under the National Trails System Act and includes the

Mormon Trail as such. I believe from what I have said and the studies done with respect to this trail that it should be recognized as a national historic trail rather than a national scenic trail. The trail itself does have some very appealing scenic characteristics along various portions; nevertheless, I feel that the greater role it has played in our nation's past is one of historical significance rather than scenic beauty.

The Department of Interior has prepared an excellent report pursuant to the National Trails System Act (P.L. 90–543) to determine the feasibility and desirability of designating the Mormon Trail as a component of the National Trails System. Their findings indicate among other things that this route of the Mormon Pioneers merits national recognition commemorating its unique place in American history. In addition, 23 segments of the route, totaling aproximately 700 miles (1,127 km) and approximately 75 Mormon Trail sites were identified as having a high potential for recreation, historical interpretation, and public use.

The study recommends the following:

1. The route be designated as the Mormon Pioneer National Historic Trail and declared a component of the National Trails System;

2. The Secretary of the Interior encourage and assist Federal, State, local and private interests to use existing Federal and State programs in further planning and development of the unique and significant recreational and historical aspects of the Mormon Trail identified in this report as high-potential route segments;

3. Close coordination be established and maintained among the public and private entities involved with the future planning and development of the Oregon and Mormon Trails to encourage the provision of complementary services and facilities and avoid duplication of effort;

4. The existing voluntary organizations of public and private entities be expanded to coordinate the planning, development, operation, and maintenance activities relating to the Mormon Historic Trail; and

5. To enhance the enjoyment of those travelling along the route to other destinations and to facilitate retracement and connect the historic sites and recreation areas, the route of the Mormon pioneers be marked along public roads and highways which approximate the actual historic migration; the trail be marked by the States with directional signs; and $300,000 in Federal funds be made available for this purpose.

The Department of the Interior has expressed their willingness to assist in any way they can in implementing these recommendations.

May I point out that this bill does not ask for acquisition of any federal, state or privately-owned lands. It merely provides for a designation of the trail in order to establish and preserve what remains for the enjoyment of those utilizing public highways and facilities along the trail route. Our posterity will be the beneficiaries of a piece of history that will be visibly marked and developed. This will be of immeasurable value as the number of uses for land continues to grow.

I wholeheartedly accept the recommendations of the Department of Interior study and would like to urge the committee to do the same and to work as expeditiously as possible on the passage of this bill.

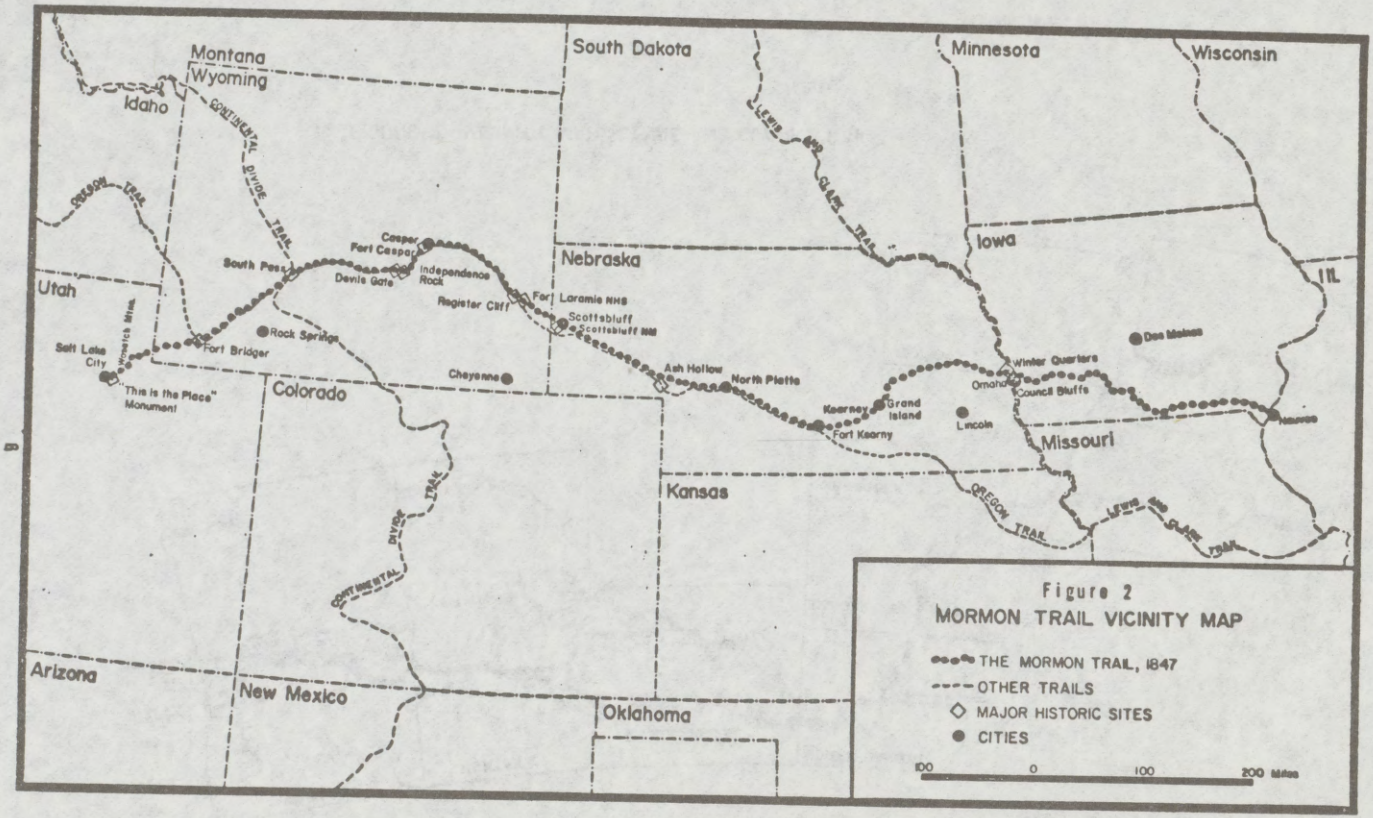
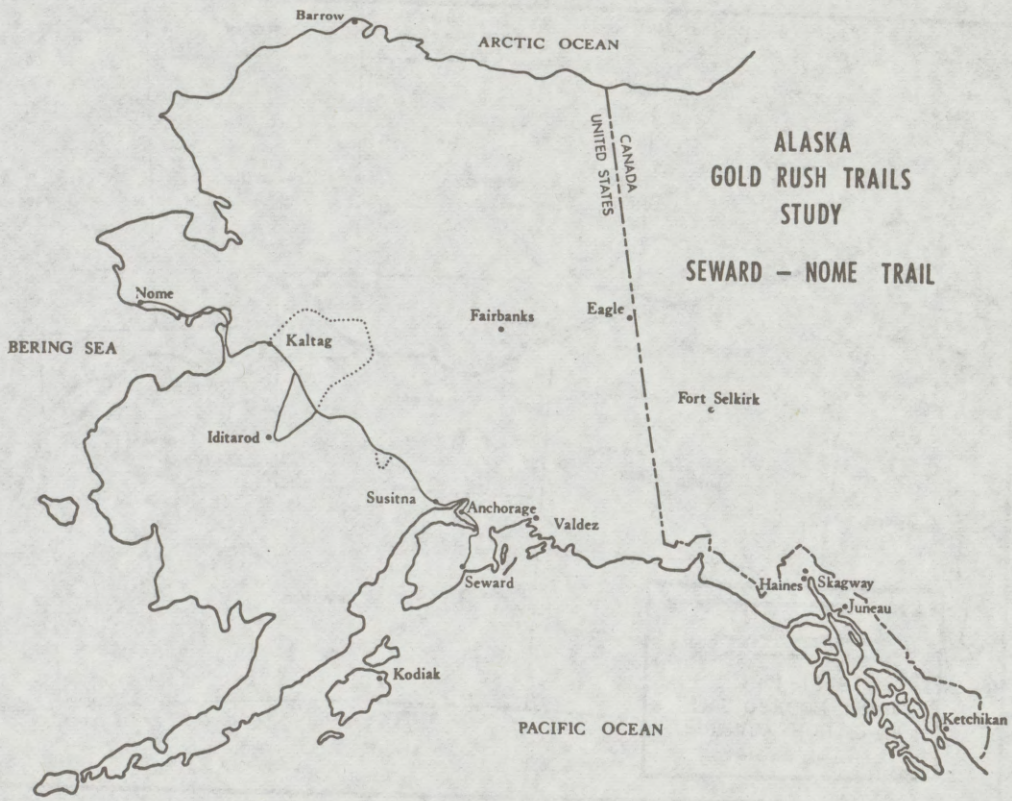


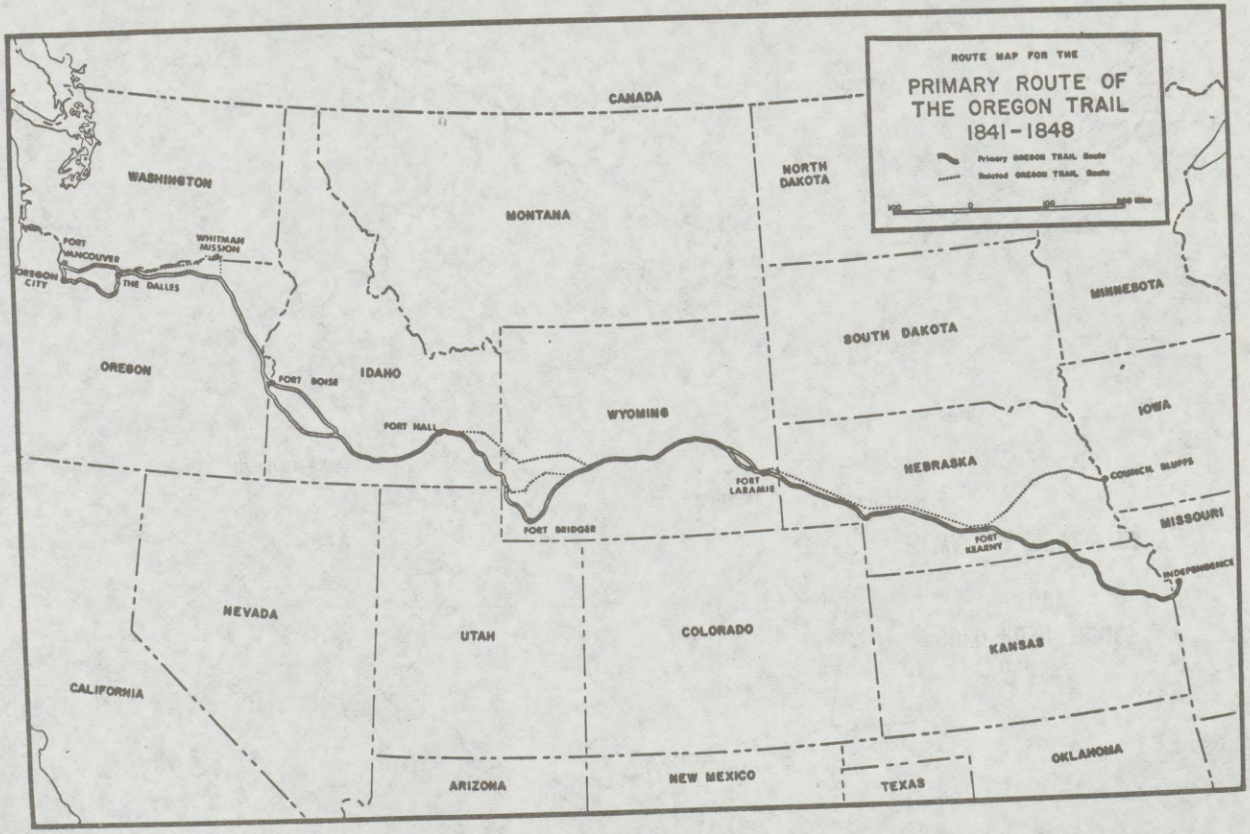
Figure 2
MORMON TRAIL VICINITY MAP

THE MORMON TRAIL, 1847
OTHER TRAILS
MAJOR HISTORIC SITES
CITIES

FIGURE 2 - VICINITY MAP, LEWIS AND CLARK TRAIL

MCRO-pmb


ALASKA
GOLD RUSH TRAILS
STUDY
SEWARD – NOME TRAIL
ARCTIC OCEAN
Barrow
CANADA
UNITED STATES
Nome
BERING SEA
Kaltag
Fairbanks
Eagle
Fort Selkirk
Iditarod
Susitna
Anchorage
Valdez
Seward
Haines
Skagway
Juneau
Kodiak
PACIFIC OCEAN
Ketchikan


ROUTE MAP FOR THE
PRIMARY ROUTE OF THE OREGON TRAIL
1841-1848
Primary OREGON TRAIL Route
Related OREGON TRAIL Route
100
0
100
200 Miles
CANADA
WASHINGTON
MONTANA
NORTH DAKOTA
MINNESOTA
SOUTH DAKOTA
IOWA
OREGON
IDAHO
WYOMING
NEBRASKA
MISSOURI
NEVADA
UTAH
COLORADO
KANSAS
CALIFORNIA
ARIZONA
NEW MEXICO
TEXAS
OKLAHOMA
FORT VANCOUVER
OREGON CITY
THE DALLES
WHITMAN MISSION
FORT BOISE
FORT HALL
FORT BRIDGER
FORT LARAMIE
FORT KEARNY
COUNCIL BLUFFS
INDEPENDENCE

Senator HANSEN. I have no questions, Senator Hatch. I do think that the objectives that you proclaim in this bill and the means of achieving those worthwhile goals are most commendable. I appreciate your testimony and I'm in full sympathy with the concept of this bill.

Senator HATCH. Well I want to thank you, Senator Hansen, and I appreciate your kindness in making those good statements. I know that millions of people would feel very happy if we can get this bill through and, of course, commemorate this history that means so much to a great number of us.

Senator HANSEN. I just might add that, though I don't happen to be a member of the Mormon faith, my grandparents were among those in that handcart procession that moved west.

Senator HATCH. Then you would have some first-hand——

Senator HANSEN. Deep appreciation for the desire that you so beautifully suggest in this bill.

Senator HATCH. And we appreciate that. We know that you have great respect of the Mormons throughout the innermountains west and throughout the country. And, of course, you have shown them great respect by all of your activities here and we appreciate what you're doing.

Senator HANSEN. Thank you.

Senator HATCH. Thank you.

Senator HANSEN. The next witness will be David Hales, the Deputy Assistant Secretary for Fish and Wildlife and Parks of the U.S. Department of the Interior. We are pleased to have you here, Mr. Hales.

Please proceed, Mr. Hales.

STATEMENT OF DAVID HALES, DEPUTY ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR

Mr. HALES. Thank you, Senator Hansen.

I have a fairly lengthy and detailed statement which, if there's no objection, I would like to present for the record. But given a number of points that you've raised in your opening statement and which were mentioned by the others who have testified this morning, if you have no objection I would like to highlight that and address points mentioned so far as they're covered in the testimony.

Senator HANSEN. Let me say, Mr. Hales, that your entire statement will appear in the record, and we would be pleased to have you summarize or make any other observations that you might care to.

Mr. HALES. Thank you, Senator.

There are several bills before us this morning which would establish a new category for the National Trails System, a category of National Historic Trails, and there are several bills which would designate the Iditarod, Oregon, Lewis and Clark, and Mormon Trails as components of the National Trail System in this category.

In his environmental message last May, President Carter indicated that he would be submitting legislation to add a new category of National Historic Trails in the National Trails System. That proposal is embodied in S. 2659. During the course of its studies of the

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routes listed in the National Trails System Act for possible designation as national scenic trails, the Department found that many of the routes, while historically notable, lacked substantial scenic characteristics throughout much of their length. They traversed country which is not particularly amenable to long distance foot, horseback, or bicycle travel. These trail routes, although important for their historic aspects, do not fit readily into the scenic trail mold. They are, however, significant routes which have played major roles in the history of our country. For that reason, and because certain segments of these routes can provide nationally significant interpretive or recreation opportunities and because these routes have high potential for enhancing the public's identification with the Nation's heritage, these routes merit Federal recognition.

To facilitate recognition of such routes or segments thereof which meet historic, interpretive and recreational criteria, we wholeheartedly endorse amendment of the National Trails System Act to include a new category of trails, National Historic Trails. We urge passage, Mr. Chairman, of Senate 2659 as being a proposal which has been worked out carefully with all of the interests that we could identify. There are a number of differences between S. 2659 and the other proposals, many of which are significant, and they are detailed in my full statement. Given your opening remarks, however, and the comments from the others, I would like to deal for just a moment with several of the major differences between our proposal and some of the others. The amendment to section 3 in Senate 929 and Senate 2705 provide that while the trails or routes shall be continuous, an established or developed trail * * * "may not be continuous." We believe that our language should be very carefully used here and that the words "need not be continuous" would provide the administrative flexibility to provide for discontinuous rates.

A major point in 2659 would amend section 7(c) by adding language to recognize the impact which designation of a historic trail might have on transportation planning. It is not our intent that the designation of a trail would automatically make the entire route subject to the requirements of section 4(f) of the Department of Transportation Act or section 106 of the National Historic Preservation Act. We believe that this is a significant proposal and understand that members of the committee share this concern. We would appreciate, Mr. Chairman, the opportunity to work further with the committee and the Department of Transportation as we are already doing in developing acceptable language to cover this point. We have a proposal embodied in S. 2659 which we believe does so and we'd be glad to work further with you as there are concerns on the specific language.

A further major difference between S. 2974 and H.R. 6900 and S. 2659 are the sections that provide that direct Federal acquisition for trail purposes shall be limited to those areas identified as high potential route segments or high priority historic sites. The administration's proposal would amend section 7 of the National Trail System Act to provide that authority for Federal acquisition of lands for historic trails is limited to those lands within the interior boundaries of federally administered units expressly needed to

maintain historic integrity or provide for interpretation and preservation of historic sites. We believe that with the recent increases in funds available to the States through the land and water conservation fund, that the States should and will play a major role in the development of historic trails.

There are several bills, Mr. Chairman, that address specific trail proposals. The Iditarod Trail is embodied in S. 929 and S. 2974. I would address in that regard only the point that the administration's proposal recognizes the role which snowmobiles play in Alaska and would specifically permit their use on the trail in accord with regulations to be prescribed by the Secretary. I would further note that in the administration's proposal on wilderness areas in Alaska that traditional use and established use of oversnow vehicles is recognized by that proposed wilderness designation. We urge that the committee consider the language regarding the Iditarod Trail contained in the administration's legislative proposal as recently transmitted to the Senate.

Mr. Eastman of the NPS has pointed out that I should add the words "in Alaska in terms of wilderness designation, the proposals as they relate to Alaska." And we do not propose to allow for oversnow use in wilderness areas in the lower 48.

The Lewis and Clark Trail is addressed by S. 2664 and S. 2974. There are a number of small modifications in that which are covered in the statement. The Oregon Trail is addressed by S. 2663, S. 2974 and H.R. 6900. Again, the general things which I've stated apply to that. On the Oregon Trail we believe that the implementation of the proposal set forth in 2663 would provide for reasonable commemoration of the Oregon Trail and urge that that bill be enacted in that form. On the Mormon Pioneer Trail, Mr. Chairman, the Department's report on the Mormon Trail has been carefully worked out with legislators from that State, representatives of the various States through which the trail passes, and many people interested in trails. That proposal is now in revised form and in the process of being printed. It has not yet been submitted to the Office of Management and Budget, so we do not have for you a formal departmental recommendation on the Mormon Trail.

Mr. Chairman, that I think summarizes the prepared statement. Bob Eastman and Bill Rennebohm from Park Service and HCRS are here. If you have specific questions we would be glad to try to answer them.

[The prepared statement of Mr. Hales follows:]

STATEMENT OF DAVID HALES, DEPUTY ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the Subcommittee, it is a privilege to appear before you today on behalf of Secretary Andrus to discuss S. 929, a bill to establish National Historic Trails as a new category of trails and to designate the Iditarod Trail in Alaska as a component of the National Trails System; S. 2705, a bill to establish a new category of National Historic Trails and to designate the Mormon Pioneer Trail as a component of the National Trails System; S. 2659, a bill to establish National Historic Trails as a new category of trails in the National Trails System; S. 2663, a bill to designate the Oregon Trail as a component of the National Trails System; H.R. 6900, a bill to designate the Oregon National Historic Trail and Travelway as a unit of the National Trails System; S. 2664, a bill to designate the Lewis and Clark Trail as a component of the National Trails System; and S. 2974, a bill to establish a National Historic Trails category and to designate the Oregon

Trail, the Mormon Pioneer Trail, the Lewis and Clark Trail and the Iditarod Trail as components of the National Trails System.

The proposals which are before you today are based in large part on studies conducted by the Heritage Conservation and Recreation Service (formerly the Bureau of Outdoor Recreation). As a result of the establishment of the new Service and a realignment of responsibilities within the Department, the responsibility for the study of potential National trail routes under the provisions of the National Trails System Act, Public Law 90-543, as amended, was delegated to the National Park Service. The Park Service is very pleased to have this program responsibility. Trails play a significant role in providing a recreational outlet for an ever increasing number of Americans. They provide an individual with the opportunity to seek solitude, view nature's marvels and return to their everyday duties refreshed in body and spirit. With your cooperation, the Service proposes to conduct the studies of trails which you identify for study as potential components of the National Trails System in a thorough professionally objective fashion, and as expeditiously as possible. We plan to have all presently authorized studies initiated shortly.

A number of the bills before you today propose the establishment of a "National Historic Trails" category within the National Trails System. In his Environmental Message last May, the President stated that he would be submitting legislation to add a new category of National Historic Trails in the National Trails System. That proposal is embodied in S. 2659.

During the course of its studies of the routes listed in the National Trails System Act for possible designation as national scenic trails, the Department found that many of the routes, while historically notable, lacked substantial scenic characteristics throughout much of their length. They often traversed country which is not particularly amenable to long distance foot, horseback or bicycle travel. These trail routes although important for their historic aspects, do not fit readily into the scenic trail mold. They are, however, significant routes which have played major roles in the history of our country. For that reason, and because certain segments of the routes can provide nationally significant interpretive/recreation opportunities and have high potential for enhancing the public's identification with the Nation's heritage, these routes merit Federal recognition. To facilitate recognition of such routes or segments thereof which meet historic/interpretive/recreation criteria, we wholeheartedly endorse amendment of the National Trails System Act to include a new category of trails, National Historic Trails. Establishment of such a category would provide a new means of achieving the goals of the National Trails System Act in terms of these special types of trails—combining the provision of quality outdoor recreation opportunities in close association with historic events of national significance.

We urge passage of S. 2659 as being a proposal which has been worked out carefully with all of the interests we could identify. There are a number of differences between S. 2659 and the other proposals, many of which are significant.

The amendment to Section 3 in S. 929 and S. 2705 provide that while the trails or routes shall be continuous, an established or developed trails * * * "may not be continuous." This could be interpreted as prohibiting a continuous trail. We prefer the language of S. 2659 which indicates that the trails—"need not be continuous" and further provides that they may follow existing "* * * trails, public roads, railroad rights-of-way, or waterways."

S. 2659 would amend Section 5(b)(3) to provide that reports on national historic trails shall "* * * include the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments as to the national historic significance based on the criteria developed under the Historic Sites Act of 1935 (49 STAT. 666; 16 U.S.C. Sec. 461)." We believe Congress would prefer assurance that a proposal is historically accurate and significant. H.R. 6900 and S. 2974 have comparable provisions while neither of the other two proposals have such a provision.

S. 2659, S. 2974 and H.R. 6900 would amend Section 5(b) by adding a new paragraph to the items which should be included in a report. This would require a statement as to the anticipated impact of public use on the proposed national historic trail and its related historic and archeological features including the measures to insure the protection of the values which contribute to the national historic significance. Neither of the other two proposals have this provision.

S. 2659 would amend Section 7(c) by adding language to recognize the impact which designation of a historic trail might have on transportation planning. It is not our intent that designation of a trail would automatically make the entire route subject to the requirements of Section 4(f) of the Department of Transportation Act or Section 106 of the National Historic Preservation Act. We believe this is a significant proposal and understand that members of the Committee share our

concern. We would appreciate the opportunity to work with the Committee and the Department of Transportation in developing acceptable language to cover this point. S. 2974 has somewhat similar provisions. None of the other proposals have a comparable provision.

S. 929, S. 2705, and H.R. 6900 all contain sections which would provide 3 criteria which a historic trail proposal must satisfy if it is to be considered for addition to the National Trails System. While they appear acceptable, we believe they should be embodied in regulations or guidelines, not in legislation. However, we believe it important that the legislative record indicate Congressional interest that such regulations be promulgated.

H.R. 6900 and S. 2974 would amend Section 5(d) to require the Secretary charged with the administration of a trail to establish, within one year of designation, an advisory council for each trail. The Council would advise the Secretary with respect to matters relating to the trail. The Administration is opposed to the proliferation of Advisory Councils.

H.R. 6900 and S. 2974 also require preparation of a comprehensive report on all National Scenic and Historic trails within 2 complete fiscal years covering the management objectives, acquisition and development plans.

A major difference between S. 2974 and H.R. 6900 and S. 2659 is that Section 201(s) of S. 2974 and item (20) in H.R. 6900 provide that direct Federal acquisition for trail purposes shall be limited to those areas identified as high potential route segments or high priority historic sites. The Administration's proposal would amend Section 7 of the National Trail System Act to provide that authority for Federal acquisition of lands for historic trails is limited to those lands within the interior boundaries of federally-administered units expressly needed to maintain historic integrity or provide for interpretation and preservation of historic sites, etc. We believe, with the recent increases in funds available to the States through the Land and Water Conservation Fund, that the States should and will play a major role in the development of historic trails.

Item (22) (2)(b) of H.R. 6900 is repetitious of language already set forth in P.L. 95–248.

S. 2659, S. 2974 and H.R. 6900 would amend Section 8(a) to direct the Secretary to consider the needs and opportunities for establishing historic trails in the comprehensive statewide historic preservation plans and proposals for financial assistance, pursuant to the Historic Preservation Act of October 15, 1966. Neither of the other two proposals provide for this requirement.

As stated before, we recognize the desirability of amending the National Trails System Act to establish a "historic trails" category. We urge careful consideration and passage of S. 2659.

In addition to providing for the establishment of a "historic trail" category, S. 929 and S. 2974 would designate the Iditarod Trail in Alaska a National Historic Trail.

While the proposed route of the Iditarod Trail is similar to that in the Department's report dated September 1977, and being considered in H.R. 39, the legislation differs in several other aspects.

S. 929 and S. 2974 would designate the entire trail for administration by the Secretary of the Interior. The Administration's proposal would commemorate the entire route as the Iditarod National Historic Trail, designate those segments which are within the exterior boundaries of federally-administered areas and which meet historic trail criteria, and authorize the Secretary to designate lands outside of federally-administered areas as components of the Trail upon appropriate application by State and local governmental agencies.

The Administration's proposal also recognizes the role which snowmobiles play in Alaska and would specifically permit their use on the trail in accord with regulations to be prescribed by the Secretary.

We urge that the Committee consider the language regarding the Iditarod Trail contained in the Administration's legislative proposal recently transmitted to the Senate.

S. 2664 and S. 2974 provide for the establishment of the Lewis and Clark Historical Trail as studied and recommended by the Department of the Interior. With the following modifications to correct an oversight in drafting the Administration's legislative proposal, we urge favorable consideration of the bills. Illinois should be inserted as the first State in the list of States in the title of the Bill. Line 5, page 2 should be revised by inserting "Wood River, Illinois/" after "from".

This proposal would commemorate the epic Lewis and Clark Expedition during 1804–06 which led to the opening of the great northwestern part of our Nation. The proposal would commemorate the 3700 mile route covering both the outgoing and return routes of the Expedition and be a combined land and water trail.

S. 2663, S. 2974 and H.R. 6900 would amend the National Trails Act to designate the Oregon Trail as a component of the National System. S. 2663 reflects the Department's proposal to commemorate the two-thousand mile route from Independence, Missouri to the vicinity of Portland, Oregon as the Oregon National Historic Trail. The route depicted is that believed to have received the most use during the period 1841–48. That period of westward migration was significant to the development of Oregon and the Pacific Northwest. S. 2663 would designate the entire route as the Oregon National Historic Trail, designate those historically significant segments within the exterior boundaries of federally-administered areas as the initial components of the Trail and authorize the Secretary of Interior to designate segments outside of federally-administered areas upon appropriate application by State and local governments.

H.R. 6900 would designate the entire route to be administered by the Secretary of the Interior. Within 2 years, the Secretary would have to submit a comprehensive plan for the acquisition, management and development of the Trail, including cooperative agreements for any lands not to be acquired.

S. 2974 would designate the entire route of the Oregon Trail for administration by the Secretary of the Interior. We believe that implementation of the proposal set forth in S. 2663 would provide for reasonable commemoration of the Oregon Trail and urge that it be enacted.

S. 2705 and S. 2974 would establish the Mormon Pioneer Trail to commemorate the movement of the Mormon Pioneers from Nauvoo, Illinois, to Salt Lake City, Utah. The Department's report on the Mormon Trail which has been worked out carefully with representatives of the several States and Mormon organizations is in final review by the Administration. Our proposal differs significantly from the bills before you. We would urge that consideration be given to deferring action on the proposed designation until you have our report and legislative proposal to consider.

Mr. Chairman, that concludes my prepared statement. My colleagues and I would be happy to answer any questions.

Senator HANSEN. Thank you very much, Mr. Hales.

S. 2659 contains a provision exempting section 4(f) of the Department of Transportation Act on trail segments outside the federally administered units. H.R. 6900 contains no similar provision. Would it be your recommendation to apply the 4(f) provision to the trail segments outside of federally administered units as well as the high potential sites and high potential route segments, as contained in H.R. 6900?

Mr. HALES. Senator, we would prefer that 4(f) be applied only to those sites identified as having high significance. That could occur outside of lands within Federal boundaries. But the thrust of the language which we have presented to you is to illustrate that it is not our desire or intent to have the National Historic Trails become permanent obstructions to development, and that throughout much of their route these trails have lost the original integrity that they had and 4(f) should not apply to those sections of those trails.

Senator HANSEN. Would you delineate precisely what you have in mind insofar as high potential route segments are concerned? We have about 300 miles in Wyoming that we think might be affected by this.

Mr. HALES. It would be I think difficult to prejudge the management plan and its development and say at x point along the trail we would anticipate that there would be a site of high potential.

I believe where we're going, Senator, on that is to say that as the management plan is developed for those areas outside Federal areas, and as the State and local governments apply to the Secretary for designation of that area, that is a point at which that decision should be made.

Senator HANSEN. Would you apply the 4(f) criteria on those segments?

Mr. HALES. It could be and it could not be, Senator. It would depend on the specific merits of that area. Our major concern at this point is for those areas within federally administered boundaries. There could be sites outside of that which, after looking at it fully, merit that protection of 4(f). And I don't know exactly—Bob may have the answer—as to how many sites there could possibly be that potential.

Mr. EASTMAN. I'd like to change the answer just a little.

Senator HANSEN. Are you identified for the record?

Mr. EASTMAN. Robert Eastman, with the National Park Service.

During the course of the study we did identify some areas outside of existing Federal lands which have historic sites remaining, and where these are significant, we have identified them as high potential sites.

In the master planning stage, we would take a further look at these and those that would appear to qualify we would recommend for addition to the national registers which would then, of course, 4(f) and section 106 would apply.

Senator HANSEN. I think it's important to draw a distinction between sites and segments. In Wyoming we have a number of sites that I think most people might agree are significant. On the other hand, when you're talking about segments, that poses all sorts of problems. And we have, among other things, the very real difficulty that owners of private property face when a trail traverses a ranch, and this is not an uncommon situation to find that, as it so oftentimes does, where a terrain was amenable, the trail did follow water courses. And those same areas are today significant parts of an operating cattle ranch. And if you were to absent the presence of federally owned real estate and apply the requirement that certain acreages be acquired through privately owned land, you would being about a very disruptive effect on the operation of a number of ranches in Wyoming.

What is your feeling about that?

Mr. EASTMAN. Well, in some instances, sir, we did identify segments. These were in areas where there were a number of closely related sites and which provide an opportunity for perhaps putting a trail on the ground where the individual would have an opportunity to traverse the terrain that the individuals in the early days had followed and experience some of the feeling that those early pioneers must have felt. But we did point out that any plan for the development of those segments should be developed in full cooperation with State and local governments and with private individuals and landowners so that we would not hopefully encounter the type of situation or minimize the type of situation that you identified.

Mr. HALES. Senator, I would also point out that we do not propose any Federal acquisition of those lands, that the full process for designation and participation from local and State governments would have to apply before approval by the Secretary of the actual designation of a trail in those areas. And that, by and large, what we are talking about are sites which could qualify and would have to qualify under the criteria of the National Register in order for the 4(f) and 106 provisions to apply.

Senator HANSEN. I understand you, Mr. Hales, you're saying it is not the feeling of the Federal Government—those budgets for what you speak—to recommend that the acquisition of any privately owned land along these trails.

Mr. HALES. That's correct, Senator.

Mr. EASTMAN. Except where they're in holdage within exterior boundaries of existing areas, there may be some acquisition. No new acquisition outside of existing Federal areas.

Senator HANSEN. Well now what do you mean? Federal areas is a rather comprehensive term, Mr. Eastman. And I could interpret that to mean a national park area. You're speaking specifically now about trails, are you?

Mr. EASTMAN. Yes.

Mr. HALES. We're talking about land that is already owned the title to which vests in the Federal Government.

Senator HANSEN. Oh. I thought inholdings were just not that.

Mr. HALES. All right. In general, when we say "Federal land," obviously we're talking about land that's owned by the Federal Government. Within the exterior boundaries of that, as you know, Senator, there are places where the Federal Government has not yet acquired title, although it is authorized to do so in some instances already.

We feel that we have sufficient authority to acquire those under existing acts. We may pursue some of those areas as inholdings in order to complete the trail or to preserve a site which is there.

Senator. HANSEN. Could you provide some detail on the acreages—and I don't know that it would be useful to have further delineation of the precise ownership—but could you just identify and submit later for the record the number of such inholdings and roughly where they are?

I don't really know what you're talking about. Are you talking about substantial acreages which might be several hundred acres or are you talking just about maybe a portion of an acre or 2 acres at most?

Mr. EASTMAN. We could do it in gross terms, sir, I think as to how much might be involved within national forest, national parks, and this type of thing.

Senator HANSEN. Oh.

Mr. EASTMAN. I don't know that we could go down to a specific site and say there would be 16 acres within this national monument specifically acquired.

Senator HANSEN. No, I really didn't mean to expand my question to include national forest and national parks and national monuments. I was thinking about the thrust of these bills that there are now before the committee and how much and what those inholdings would be. I have my own feeling about inholdings within parks and monuments and forests, but I should think this would not be an appropriate time to go into an examination of those. But rather I would like to have some precise information with respect to these various trail bills that are now on the floor of the committee if I understand it.

Mr. HALES. We would be very happy to work with your staff and the committee staff in delineating your question and providing you what answers we can at this point. Much of that information,

Senator would be a result of the planning process after the trail was designated in order to get to the details that I think you may want. But we will be very happy to work with you.

Senator HANSEN. Thank you.

You heard the testimony of Senators Hatch and Garn. Would you care to express an opinion as to whether you think that approach might very well serve these other trails insofar as the acquisition of privately owned land goes?

Mr. HALES. That essentially, as I heard their testimony, is what we're recommending for all the trails.

Senator HANSEN. I see.

I guess we will proceed with some formal questions. H.R. 6900 provides in section 17 for direct Federal acquisition of those areas indicated by the BOR study or subsequently by the comprehensive plan as high potential route segments or high potential historic sites. What is the professional opinion of the Department regarding acquisitions outside existing Federal areas?

Mr. HALES. There may be some sites, Senator, which would merit Federal ownership and protection. Our position now is that if there are such sites, they need to be developed through the study mechanism itself or through the planning mechanism itself.

We have some concern over the difficulty logistically and in terms of dollars in managing *x* number of sites spread out along the trail. There could be some very real problems there in terms of personnel ceilings and dollar cost and the whole scale of managing a number of small sites.

There could be some there. Our position now is, as we have stated it, that within external boundaries we prefer to designate the trail; outside of the external boundaries of existing Federal land that the States and local governments should appeal through to the Secretary for designation of that area, and it should be managed by the States and the localities.

Senator HANSEN. How will S. 4663, S. 2706, and S. 2664 protect the proposed national trails beyond what is already in Federal ownership or protected under section 106, the Historic Preservation Act?

Mr. HALES. Senator, only the Congress can designate a trail in this category. And that is essentially what we're asking for.

On Federal lands we could set aside a corridor and actually use it as a trail, but we believe the explicit designation of the trail for these purposes by the Congress of the United States is very important.

Senator HANSEN. As you stated in your testimony, S. 929, S. 2706, and H.R. 6900 all contain sections provided for three criteria which a historic trail proposal must satisfy to be considered for additions to the National Trails System. Why do you recommend that these not be included in the legislation?

Mr. HALES. Senator, very briefly we feel that the three reasons themselves; the provision that a trail must be established by historic use and must be historically significant as a result of that use, that the area be of national significance with regard to a number of specific areas, and that the trail have significant potential for public recreational use, are better found in the administrative mechanism which creates the trail.

Certainly we have no objection to those three concepts and believe that they should be clearly embodied in the hearing record as the intent of Congress with the full agreement and support of the administration. But to put that much detail in a law with the difficulty of amending those as times change and situations change would not be the best course to follow.

So we would agree with the intent very much.

Senator HANSEN. You recommend against the establishment of advisory councils for any proposed trail, and yet the BOR study of these trails contain a recommendation—

> For the inclusion of the Secretary to consult with the heads of the other Federal and State agencies where lands administered by them are involved, and that close coordination be established and maintained among local agencies and private trail organizations along the route of the trail.

What is the difference between this recommended arrangement and actual advisory council?

Mr. HALES. The position of the administration on that, Senator, is that the appropriate consultation can be done without the creation of a formal advisory committee. The Office of Management and Budget in its review of advisory committees has found that some do not work as they are intended, while it is also found that some do work very much as they are intended. And in no sense is the administration moving toward the abolishment of all advisory committees.

It's our feeling in this regard, however, that we should hold down the proliferation of advisory committees, and that the same results in terms of consultation can be achieved without the creation of one explicitly in the legislation.

Senator HANSEN. Would the Federal Government be responsible for acquisition or maintenance of those segments nominated by State and local governments as components of a national historic trail?

Mr. HALES. No, Senator. Our proposal provides that such segments would be managed at no expense to the Federal Government, although there could be some acquisition funds involved through the normal use of the Land and Water Conservation Fund and its State grant program.

Senator HANSEN. H.R. 6900 provides $5 million for acquisition of identified high potential segments. Would that amount be adequate for acquisition of those segments?

Mr. HALES. It's difficult to say, Senator. We are not aware of the generation of that figure. The figure in the study report as I recall was about 3.7 million. And it's our impression that that figure is simply been indexed for inflation and raised to that amount. I could not guarantee that 5 million would be sufficient in this case.

Senator HANSEN. What is the Department's position regarding the use of motorized vehicles on components of any historic trail aside from the Iditarod Trail?

Mr. HALES. Senator, we would believe that in the case of the Iditarod Trail a specific exemption from normal practice should be made; that the use of motorized vehicles on all other trails would be inappropriate for a number of reasons. Quite often they're a very fragile resource. And what is left of the heritage could easily be destroyed by motorized vehicles.

I can also anticipate, Senator, having had some experience with cattle, that those folks who do make their living by raising cattle would be much more concerned about motorized vehicles going through and across the trail adjacent to their productive land than they would be about hikers or people on horseback.

So it could provide us some problems in that regard with the number of people who live adjacent to the designated areas.

Senator HANSEN. May I ask unanimous consent that three communications we've received be included in the record, one from the Wyoming Travel Commission, one from the Wyoming Stockgrowers Association, and a letter from the Governor of Wyoming?

I'd like to read from just one paragraph from the letter we have received from the Wyoming Travel Commission which I think states a different view than that just expressed by you, Mr. Hales. I ask unanimous consent that the letter be included, but to read just the one portion.

Likewise, historic trails can no longer be considered as continuous hiking trails nor should they be. Wyoming's major trails, the Oregon, California, the Mormon, Bowsman, Overland and Cheyenne Deadwood, were all established to accommodate the special requirements of wheeled vehicle travel and are significant for that special reason more than any other. In fact, these trails exist visibly throughout Wyoming today only because they have experienced continuous wheeled vehicle traffic over most of their routes from the time of their first use to the present date.

The letter continues:

The word "trail" never appears in pioneer diaries or journals. To them it was the Oregon Road or the California Road. Its significance to history lies in the fact that it was the only possible national route by which families could transport themselves, their belongings and supplies into the west to establish new homes.

Had the Oregon been only a horse-and-foot trail, there is an excellent chance that much of the northwest part of the United States would have become a southern extension of Canada.

Until the time the wagons started to roll with their cargoes and permanent settlers, the British and French far outnumbered the Americans in the Oregon country.

I thought that it might be of interest to you to at least get the feel the Wyoming Travel Commission has with respect to the way in which these trails might be managed.

[The three letters follow:]

WYOMING STOCK GROWERS ASSOCIATION,
Cheyenne, Wyo., April 14, 1978.

Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR CLIFF: The Wyoming Stock Growers Association wants to go on record in strong opposition to HR 6900 entitled, "The Oregon Trail Bill".

The Wyoming Stock Growers Association opposes this bill because: 1. The individual landowner is vulnerable and subject to increased liability due to more people trespassing on private lands to reach such historic trails. Obviously a major question concerning this kind of legislation is the question of "Who assumes liability?"—the Federal Government or the landower? Surely the Federal Government will not assume the liability and, therefore, we must assume that the individual landowner would be burdened with liability lawsuits.

2. By designating the 2,000 mile long Oregon Trail as a National Historic Trail there would definitely be a tremendous litter problem. People bring litter and the contiguous individual landowners are the ones who would end up picking up after the recreationist. Would the Federal Government be responsible and be willing to finance a litter removal program?

3. Fencing of special segments of the Trail and possibly even fencing long stretches of the trail would probably follow protective designation of a trail. Fencing

naturally disrupts grazing patterns of both wildlife and domestic livestock. Fencing off the trail would also be very expensive.

4. It is our understanding that HR 6900 gives the Federal Government the power of eminent domain to designate those lands that would comprise the Oregon Trail. If this legislation grants the power of eminent domain to establish the historic trail the Department of Interior could create corridor effect right down through the middle of an individual's agricultural unit. This would cause extreme hardships and managment problems for thousands of ranchers and farmers. Who pays for all these inconveniences? * * * NOT the Department of Interior, but the landowner.

5. Thousands of acres of productive land would be taken out of production and converted to recreational use. The Wyoming Stock Growers Association continues to believe that the multiple-use concept of utilizing these historic trail lands benefits more people in more ways rather than allowing only recreational use.

6. It is highly probable that those thousands of acres of land that would be designated as the Oregon Trail would ultimately be taken off the tax rolls. Individual landowners who won segments of the Oregon Trail are now contributing to the tax base which ultimately supports local public services. Removal of Oregon Trail lands from the tax base would be detrimental to local communities.

In conclusion, the Wyoming Stock Growers Association is strongly opposed to HR 6900 because ultimately the landowner ends up as the "caretaker" of such trails—not the Department of Interior and not the recreationist. The Wyoming Stock Growers Association represents 2,700 Wyoming ranching and farming families, and they too are opposed to HR 6900 thatis now before the Senate.

Sincerely yours,

JAMES R. DALY, *President.*

WYOMING STATE HIGHWAY DEPARTMENT,
Cheyenne, Wyo., January 11, 1978.

Re environment general—amendments to the National Trails Systems Act (82 Stat. 919; 16 USC 1241).

Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: On May 26, 1977, Secretary Andrus at the direction of the President and as part of his message on the environment, submitted to the Honorable Walter F. Mondale, President of the Senate, a draft bill "To Establish National Historic Trails as a new category of trails within the National Trails System". Secretary Andrus further recommended that the bill be referred to the appropriate committee and that it be enacted.

The transmittal letter indicates that this bill is necessary in order to preserve historically significant trails which do not meet the requirements of the National Trails Systems Act. It is my understanding that this bill was introduced in order to establish the Oregon Trail, for which the administrative process has been completed, as a National Historic Trail; and that this proposal may now be assigned to appropriate committees of the Congress.

Before going further, I wish to emphasize that the Wyoming State Highway Department supports and endorses the National Trails System, and we are in total agreement that identifiable segments of historically significant trails should be preserved. In fact, we are quite proud of our efforts to sign and provide turnouts and parking areas so that people can stop and observe sites of historic significance.

However, the Oregon Trail spans the entire State, and many of our highways cross and/or closely follow it. We do not foresee major problems or conflicts between meeting the objectives of the National Trails Systems Act and maintaining an adequate State Highway System. But we do foresee administrative requirements that we feel are unnecessary and could be eliminated by striking certain language from the proposed legislation.

Specifically, we are concerned that the language that tempers the requirements of Section 4(f) of the Department of Transportation Act (49 USC 1653(f)) is not exclusive enough. 49 USC 1653(f) reads as follows:

MAINTENANCE AND ENHANCEMENT OF NATURAL BEAUTY OF LAND TRAVERSED BY TRANSPORTATION LINES

It is hereby declared to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Secretary of Transpor-

tation shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of the Federal-Aid Highway Act of 1968, the Secretary shall not approve any program or project which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from a historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use.

Our experience with Section 4(f) has proven to be an administrative nightmare. It takes nearly a year to dispose of, requires extensive documentation that is subjected to intensive legal review at three levels in the DOT, is applied to any land taking no matter how minute and insignificant, and in certain situations on projects that do not take land from historic trails would require a determination that it is not applicable.

As we read the proposed bill, it would only exempt from Section 4(f) requirements those improvements to State Highways that would not take additional lands, and would not change operational characteristics of a highway.

It should be kept in mind also, that Section 4(f) applies only to improvements that are financed with Federal-aid Highway Funds. It does not apply to highway improvements financed otherwise.

While we do not have any specific examples, we are fearful that many highway improvements would fall within the requirements of Section 4(f) as the proposed bill was submitted. This is due principally to the long linear nature of the Oregon Trail, its physical location with respect to our State Highway System, and the impact of energy development in creating the need for new and improved state highways.

We feel that adequate safeguards exist to protect identifiable segments of historic trails through the Historic Preservation Act and the laws, rules, and regulations under which the National Trails Act is administered. Consequently, further protection under the provisions of Section 4(f) of the DOT Act is not only unnecessary, but constitutes over regulation and needless "red tape"—particularly since it is only applicable to federally financed improvements.

In order to remedy this problem and avoid the application of dual standards, we suggest the language of Section 7, Subsection (c) be changed by striking the words "such as modifications or changes or repairs of a routine nature within such segments". This is found in Paragraph (1) at the bottom of Page 3 of the proposed bill. For your convenience, a copy of the bill together with the letter of transmittal is attached, and our suggested change is marked in red.

I have brought this matter to your attention in an effort to reduce needless paper flow and red tape, and still fulfill the intent of this worthwhile legislation. I hope you will consider the suggestion favorably and take appropriate action. Please call on me if I can be of further assistance.

Very truly yours,

LENO MENGHINI,
Superintendent and Chief Engineer

Attachment.

WYOMING EXECUTIVE DEPARTMENT,
Cheyenne, Wyo., April 27, 1978.

Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: Thank you for your letter on H.R. 6900 and other national trail bills. I share your concern about the vagueness of this legislation and its potential impact upon Wyoming.

The basic approach of designating the entire route as an "historical trail" is mistaken. I can see the need for designating the entire route of trails under the "scenic" category, where the concern is for recreational and hiking uses. However, much of the Oregon Trail route is lacking in scenic values and will not attract recreationists, particularly in comparison to our fine mountain trails.

I agree with the proponents of this legislation that it is important for us to commemorate important historical routes and to provide special protection for

certain areas such as Independence Rock and South Pass City, as you noted. I also support your suggestion for uniform federal marking and interpretive signs along the route.

But, to accomplish these goals, it is not necessary to give a federal agency the potential to devise a plan for federal acquisition of the entire trail, as HR. 6900 would do. Senator Church's bill also goes too far in this respect.

The tools are in hand to adequately protect these historic trails through existing laws, BLM, Forest Service, and state and local land planning and activities of state and local historical groups.

If any further legislation is needed, it should be limited to historic commemoration, provisions for marking the trails, and a program of federal assistance to state and local governments and private interests in protecting specific historic sites on the trail.

The protection for transportation and utilities in Title IV of Senator Church's bill is commendable. I suggest that this same immunity be extended to holders of federal leases and permits for grazing, mineral exploration and development, and other purposes.

Please include my letter in your hearing record.

Yours sincerely,

ED HERSCHLER, *Governor.*

Mr. HALES. Senator, I would comment on that that much of the mileage of the trails that we're talking about today is adjacent to existing roadways, and certainly no one is going to say let's take all the cars and motorized vehicles off this roadway.

Senator HANSEN. There are some of them saying that. I say that not entirely facetiously. The area in my hometown of Teton there was quite a movement to build roads for people instead of for cars, but I presume that the mind is in a pretty fertile place for lots of ideas.

Mr. HALES. Well I wouldn't object to a both/and situation rather than either/or in some of those instances.

Senator HANSEN. Yes.

Mr. HALES. But in areas of the trail where there is some integrity left to that trail, then we would be against the motorized vehicle use of that trail. And I think the fact that the trails are from the areas you know, Senator, still visible. Even though perhaps a wheeled vehicle has not traveled over it for many years indicates the very delicate nature of that particular subenvironment and the amount of damage that a wheeled vehicle, especially one that we're talking about, a motorized wheeled vehicle, could do.

Senator HANSEN. Without pursuing that unnecessarily further, I would just observe that nature has a way of healing itself, and it heals trails as it does many other of man's imprints upon it. And I would suspect that in Wyoming as maybe, too, in other States are trails that are visible today simply because people have followed those same routes that the early pioneers took and if it were not for that fact, there would be perhaps far less evidence of the precise migration route that was utilized say roughly a hundred years ago.

Maybe you would want to comment on that and maybe you don't, but that's my feeling.

Mr. HALES. No. That's all right. Thank you.

Senator HANSEN. Thank you very much, Mr. Hales and Mr. Eastman, for your appearance.

Mr. HALES. Thank you, Senator.

Senator HANSEN. I ask unanimous consent that a statement from the Honorable Frank Church be included in the record on S. 2974.

[The prepared statement of Senator Church follows:]

STATEMENT OF HON. FRANK CHURCH, A U.S. SENATOR FROM THE STATE OF IDAHO

Today, this subcommittee is taking testimony on a number of proposals which would create a new category of national historic trails within the National Trails System. In addition, the bills which we have before us for consideration this morning would designate several routes important in American history as the first national historic trails.

However, only one of these bills, S. 2974, the National Historic Trails Act of 1978, ties together all of these proposals in one omnibus trails bill.

When Congress enacted the National Trails System Act 10 years ago, we established a system to identify and protect certain routes of national significance. At that time, two trails were immediately included in the system and fourteen other routes were to be studied by the Departments of Interior and Agriculture to determine if they too should be part of the national system.

Citing increasing demands for outdoor recreation, the original National Trails Act sought to provide high quality scenic and recreational opportunities along specific established trails. The routes selected for study under the 1968 Act were thought to be excellent candidates for inclusion within the national system as either national scenic or national recreational trails. However, once these studies were completed by the executive agencies on some of these 14 trails, those agencies determined that trails such as the Lewis and Clark Trail and the Oregon Trail did not qualify for addition to the national system under the criteria of the 1968 Act.

In fact, the conclusion reached by the Department of Interior in its studies of the Oregon, Lewis and Clark, Mormon Pioneer and Iditarod Trails was the same in each instance: although the route in question is of national historical significance, it does not provide the kind of scenic or recreational opportunities necessary for inclusion in the National Trails System as currently structured. However, each of these studies also concluded that the trail in question should be added to the Trails System as a national historic trail and the 1968 Act amended to create the new trail category.

S. 2974, the legislation which I introduced on April 24 with ten cosponsors, would create a national historic trails category, and designate four historic routes, the Oregon Trail, the Mormon Pioneer Trail, the Lewis and Clark Trail, and the Iditarod Trail as the first national historic trails. In addition, the bill would amend the 1968 Act to provide procedures for the study of other routes to determine the suitability of their designation as national historic trails.

Without this new category of trails, and the protection it will afford, the heritage of our country's historic migration and transportation routes with their remaining edifices and artifacts, may be lost forever. And, as a Nation, we would be the less for it.

I'm sure the testimony we will hear this morning will indicate strong support for the provisions embodied in S. 2974. I look forward to hearing from all of you.

Senator HANSEN. The next witness will be the Chief of the Forest Service, the Honorable John McGuire. We are glad to have you here this morning, John.

STATEMENT OF HON. JOHN R. McGUIRE, CHIEF, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. MCGUIRE. Mr. Chairman, thank you for involving the Department of Agriculture in this morning's consideration of these proposed amendments to the National Trails System Act of 1968.

If I may I can brief my testimony considerably.

Senator HANSEN. Your entire statement will appear in the record, and we will be pleased to have you brief it and make any other observations you may care to.

Mr. MCGUIRE. Thank you, sir. The Department of Agriculture reiterates its support for a new category of historic trails and for designation of the Oregon, the Lewis and Clark, and the Iditarod National Historic Trails. The proposal for the Mormon Trail is still undergoing administration review, as Mr. Hales mentioned. Mr.

Chairman, as you know, the Forest Service has been involved in the management of trails for quite a long time. At one time over 150,000 miles of trail existed within the national forests and most of those trails were built and used as a part of the administrative transportation network in the early days. Roads and the use of aircraft have eliminated the need for many of these old trails, and we estimate now that a little more than 96,000 miles of trails, including about 2,800 miles within the National Trails System, are maintained and in use on the national forests.

The new category of national historic trails would help to round-out the full array of services which these trails can provide. In keeping with the President's emphasis on providing increased recreation opportunities, we are trying to develop a trail system which provides a full spectrum of trail-related recreation. Every aspect of this effort is addressed in the assessment and program, the RPA, which we sent to Congress in 1976 under the Forest and Rangeland Renewable Resources Planning Act.

In that program we state an overall goal of having 120,000 miles of trail in the national forest system by the year 2020.

We're now assessing all of our trails to determine their condition. We'll then prepare a development program which will go into effect about 1981. We had planned to designate two national recreation trails on each national forest by 1980. And ultimately we hope to have a total of 60,000 miles of national recreation trails in the national forest system.

We also expect to complete the 22 national scenic trails studies to which we are now committed.

As national forest trails are improved and modified we find that they also are serving a new clientele, the urban dweller and the weekend recreationist. We want to develop trails near population centers so as to provide a wider variety of trail experiences for these kinds of people. By 1985 we hope to have about 20,000 miles of this kind of trail in operation.

The Appalachian Trail is obviously important to the Forest Service. By 1980, we hope to obtain the remaining 58 miles of national forest—of the national forest segment which is still privately owned along the Appalachian Trail.

We also plan to complete construction and reconstruction of the national forest parts of the Pacific Crest Trail by 1986, and to have secured by then 358 miles of trails which are still privately owned and for which the Forest Service is responsible.

And, finally, we hope to develop by 1981 a bicycleway near a major population center which can serve as a model for other bikeways in the national forest.

One of our primary objectives for outdoor recreation, Mr. Chairman, is to increase the supply of recreation opportunities and services by emphasizing dispersed recreation. We believe that a key to this objective is the development of a diverse, integrated, and well-maintained trail system.

That concludes my statement, Mr. Chairman.

[The prepared statement of Mr. McGuire follows:]

STATEMENT OF HON. JOHN R. MCGUIRE, CHIEF, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the committee, thank you for involving the Department of Agriculture in this morning's consideration of various proposed amendments to the National Trails System Act of 1968 (82 Stat. 919; 16 U.S.C. 1241–49) to establish a new, National Historic Trails category, to designate certain historic trail routes, and to make certain generic refinements in the National Trails System Act. The bills under consideration this morning are: S. 929—Establish National Historic Trails as a new category, and designate Iditarod Trail; S. 2659—Establish National Historic Trails as a new category; S. 2663—Designate Oregon National Historic Trail; S. 2664—Designate Lewis and Clark National Historic Trail; S. 2705—Designate Mormon Pioneer National Historic Trail; H.R. 6900—Designate Oregon National Historic Trail and Travelway (House passed April 5, 1978); and S. 2974—Establish National Historic Trails as a new category and designate the National Historic Oregon Trail, the National Historic Mormon Pioneer Trail, the National Historic Lewis and Clark Trail, and the National Historic Iditarod Trail.

The Department of Agriculture reiterates its support for a new category of Historic Trails, and for designation of the Oregon, the Lewis and Clark, and the Iditarod National Historic Trails. The Administration's recommendations for these have already been transmitted to the Congress. The proposal for the Mormon National Historic Trail is still undergoing Administration review and a recommendation has not yet been reached.

About 38 miles of the proposed Oregon National Historic Trail would fall within the Wallowa-Whitman National Forest and the Mt. Hood National Forest. About 100 miles of the proposed Lewis and Clark National Historic Trail would fall within the Helena, Salmon, Beaverhead, Bitterroot, Lolo, Clearwater, Targhee, Custer, Lewis and Clark and the Wallowa-Whitman National Forests. About 1 mile of the proposed Mormon National Historic Trail would cross the Wasatch National Forest. About 75 miles of the proposed Iditarod National Historic Trail would be within the Chugach National Forest. On these proposed trails for which the Department of the Interior would have the lead role, the Department of Agriculture would cooperate by administering those segments of the trail occurring on National Forests lands.

Mr. Chairman, as you may know, the Forest Service has been involved in the management of trails for quite a long time. We estimate that at one time over 150,000 miles of trail existed on the National Forests. Most of those trails were built and used as a part of the administrative transportation network and they were designed to move men and equipment effectively from one place to another for fire control and other management and protection purposes. Roads and use of aircraft have eliminated the need for many of these, but we estimate that a little more than 96,000 miles of trails, including 2,800 miles within the National Trails System, are maintained and in use on the National Forests. This consists of about 67,000 miles of all-purpose trail, 9,000 miles of hiker trail, about 15,000 miles for fire access and approximately 5,000 miles for limited purposes such as nature appreciation travel by blind persons, etc.

We endorse the new category of National Historic Trails as it will help to round out the full array of services which National Forest trails could and should be providing.

In keeping with the President's emphasis on providing increased recreation opportunities, we have established an objective to develop and maintain a trail system which provides a full spectrum of trail-related recreation opportunities, commensurate with land capability and the public need. Every aspect of this effort is addressed in the Assessment and Program that we sent to Congress in 1976 under the Forest and Rangeland Renewable Resources Planning Act. Our overall goal is to have 120,000 miles of trails by 2020. We believe the Trail System on National Forest lands should include trails which offer adventure and challenge as well as opportunities for use by handicapped persons. We believe it should offer the widest possible variety of environments, seasons of the year, and modes of travel.

If I may, Mr. Chairman, I'd like to share with the Committee for just a moment a brief summary of the targets we have established for ourselves to insure that trails on the National Forests are adequate to meet current needs. We are now involved in assessing all National Forest trails to determine the condition of the trail and the expansion or improvements still needed. We will then prepare a development program for trails which will go into effect about 1981. We plan to designate two National Recreation Trails on each National Forest by 1980. Ultimately, we plan a total of 60,000 miles of National Recreation Trails in the National Forest System. We expect, in conjunction with the Department of the Interior, to complete the 22 National Scenic Trails studies to which we are committed, by the end of the fiscal

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year 1981. New additions could bring the National Scenic Trail to approximately 8,000 miles within the boundaries of the National Forest System.

As National Forest trails are improved and modified to serve new purposes, they also serve a new clientele—the urban dweller and the week-end recreationist. We want to develop and manage the trails near population centers so as to provide a wide variety of trail experiences and mode of travel for these people. By 1985 we hope to have about 20,000 miles of this kind of trail in operation.

The public needs better information about trails, so by 1981 we plan to have brochures for public use to identify the trail opportunities on each Ranger District in the National Forest System.

The Appalachian trail is obviously important to the Forest Service. The deadline for completing construction and reconstruction of National Forest segments of the trail also is set at 1981. By about 1980, however, we hope to secure the remaining 58 miles of the National Forest segment which are still privately owned.

We plan to complete construction and reconstruction of the National Forest segments of the Pacific Crest Trail by 1986. By 1985, we hope to have secured the 358 miles of National Forest Trails segment which are on private lands.

And finally, we hope to develop by 1981, a bicycle-way near a major population center to serve as a model for other bike-ways in the National Forest System.

One of our primary objectives for outdoor recreation, Mr. Chairman, is to increase the supply of recreation opportunities and service by emphasizing dispersed recreation. We believe that a key to this is the development of a diverse, integrated, and well maintained trail system.

Mr. Chairman, that concludes my statement. I'll be happy to answer your questions.

Senator HANSEN. How many miles of Pacific Crest Trail remain in private ownership?

Mr. MCGUIRE. About 447 miles are still in private ownership.

Senator HANSEN. What are the prospects for a continuous Pacific Crest Trail without eminent domain authority?

Mr. MCGUIRE. We think they're rather dim, Mr. Chairman. There are 358 miles that are within our responsibility to acquire out of a total of 447 miles. And we estimate that probably about 51 of those miles would require eminent domain authority for acquisition.

Senator HANSEN. And the balance of it you think you can acquire one by one.

Mr. MCGUIRE. That's the way it looks now.

Senator HANSEN. Thank you very much, Chief McGuire.

Mr. MCGUIRE. Thank you, sir.

Senator HANSEN. Our last witness is Edward B. Garvey, the legislative representative for the American Hiking Society. We are pleased to have you here, Mr. Garvey.

Mr. GARVEY. Thank you, Mr. Chairman.

Senator HANSEN. I understand that had you not been to this hearing you would have been starting a hike this morning. Is that right?

Mr. GARVEY. That is right. And I am leaving as soon as this is over to go down in North Carolina and Tennessee and get in some mileage.

Senator HANSEN. We appreciate your presence here.

STATEMENT OF EDWARD B. GARVEY, LEGISLATIVE REPRESENTATIVE, AMERICAN HIKING SOCIETY

Mr. GARVEY. OK. I've testified before this committee and the House committees over a 13-year period, always on behalf of the Appalachian Trail. Today, as a legislative representative for the

American Hiking Society, I am testifying on behalf of other long distance trails throughout the United States.

I'm kind of surprised that some of those trails that were included in the national trails consideration back in 1965 and 1968 are still on a study category, particularly the Continental Divide Trail and the Potomac Heritage. At one stage they were in the legislation to be national scenic trails, and here we are 10–11 years later and they're still on a study category. And that's kind of disappointing and surprising.

On the trails today, the legislation, several pieces, seek to change or amend and on some basis change the National Trails System language and to immediately designate four trails, Oregon, Lewis and Clark, Mormon and Iditarod, for immediate inclusion in this new category. And the American Hiking Society is heartily in favor of the proposed amendment to the National Trails System Act and for the inclusion of the four trails named.

I believe it will be of interest to this committee to consider what percentage of the population might avail themselves of the hiking opportunities afforded by the creation of these new trails.

Until recently we in the American Hiking Society considered that there were approximately 10 million hikers and backpackers out there in the United States, and until recently there was a study released in December of 1977 by the Opinion Research Corp. of Princeton, N.J. which shows that 10 percent of the entire population are hikers of remote trails, and that 19 percent of the population are hikers of more accessible trails. (Referenced article appears following statement.) We're speaking here of 20 to 40 million people and up who have expressed interest in hiking both accessible and remote trails.

I guess the most astounding statistic that came out of this study was with respect to the younger generation, those in the 18 to 29 age group. In that group, a whopping 45 percent felt that there should be an expansion of remote hiking and bridle trails. So in addition to the hikers themselves, we've got 35 million hunters and 12 million horseback riders and 5 million cross-country skiers, all of whom use trails of one type or another.

There's a couple of other things I'd like to mention, Mr. Chairman.

The outdoor organizations, particularly hiking clubs, have demonstrated an ability and a willingness to shoulder much of the maintenance and even sometimes construction of the hiking trails.

The May issue of the Backpacker Magazine contains a description of the work being done by a representative dozen of such organizations throughout the country—from the Sierra Club and the Colorado Mountain Trails foundation in the West to the Green Mountain Club and the Potomac Appalachian Trail Club in the East. Some of these trails that have been considered today will require some acquisition, and I think if the Government can obtain a right-of-way, or the States, that the hiking clubs can shoulder much of the routine maintenance.

One other thing that I do want to comment on, and this is the last one, is that the bill introduced by Senator Church, S. 2974, contains the provision which would eliminate the provision against use of condemnation action by the Department of Agriculture on

the Pacific Crest Trail. We believe that the condemnation authority, even though it's seldom used, is a vitally needed tool to provide the continuous trail. And during their recent years, the Forest Service has acquired over 160 miles of right-of-way on the Appalachian Trail and they used the condemnation authority only in two cases. We believe this constitutes pretty convincing evidence that the condemnation authority, although needed, is only used as the last resort when other settlement actions have failed.

This concludes my remarks. And we in the American Hiking Society are grateful that we were permitted to testify on this legislation.

I might say, sir, that if you'd like it, I have a copy of that editorial of Backpacker Magazine that tells about some of these statistics, and if you'd like it you are welcome to it.

Senator HANSEN. Without objection, it may be included in the record.

[The prepared statement and additional material submitted by Mr. Garvey follows:]

STATEMENT OF EDWARD B. GARVEY, LEGISLATIVE REPRESENTATIVE, AMERICAN HIKING SOCIETY

My name is Edward B. Garvey. I have testified before this committee and the House committees over a 13 year period—always on behalf of the Appalachian Trail. Today, as a legislative representative for the American Hiking Society, I am testifying on behalf of other long distance trails throughout the United States.

The National Trails System Act of 1968 designated fourteen trails for study to determine if they could not later be designated as national scenic trails as were the Appalachian and Pacific Crest trails. It seems surprising that some of those fourteen have not already been so designated. Two of them, the Continental Divide Trail and the Potomac Heritage Trail were, in the early stages of our discussions back in 1965–68, considered and indeed identified in various bills, as being tagged for immediate designation as national scenic trails. In the final consideration of the 1968 legislation these two trails were removed but it seemed at the time that it might be just a year or two before they too would be moved up to the operations status. That they have not is both surprising and disappointing.

The hearings today relate to the amendment of the National Trails System Act to provide a category of historic trails for which some of the fourteen trails might qualify; and to designate four specific trails—the Oregon, Lewis and Clark, Mormon, and Iditarod Trails for immediate inclusion in this new category. The American Hiking Society is heartily in favor of the Proposed amendment to the National Trails System Act and for the inclusion of the four trails named.

We believe it will be of interest to the Committee to consider what percentage of the population might avail themselves of the hiking opportunities afforded by the creation of these new trails. Until recently we in the American Hiking Society have considered that we were a voice speaking for an estimated ten million hikers which is a substantial segment of the population. However, a study released in December, 1977 by the Opinion Research Corporation of Princeton, N.J., shows that ten percent of the entire population are backpackers and hikers on remote trails and that 19 percent of the population are hikers on more accessible trails. The most astounding statistic obtained related to the younger generation—those in the 18-29 age group. A whopping 45% of that group felt that there should be an expansion of remote hiking and bridle trails. In addition to hikers and backpackers there are 35 million hunters, 12 million horseback riders, 12.5 million mountain climbers and 5 million cross country skiers—all of whom use trails of one type or another. Legislation which we are considering here today affects a very, very substantial segment of our population.

Furthermore the outdoor organizations, particularly hiking clubs, have demonstrated an ability and a willingness to shoulder much of the maintenance and even construction of hiking trails. The May, 1978 issue of BACKPACKER Magazine contains a description of the work being done by a representative dozen of such organizations throughout the country—from the Sierra Club and the Colorado Mountain Trails Foundation in the West to the Green Mountain Club and the

Potomac Appalachian Trail Club in the East. If the Government can acquire the right-of-way and perform the major construction, the private non-profit organizations can in many situations perform the maintenance.

We are pleased that the proposed legislation eliminates the provision against use of condemnation action by the Dept. of Agriculture on the Pacific Crest Trail. We believe that the condemnation authority, even though seldom used, is a vitally needed tool to provide a continuous trail. During recent years the U.S. Forest Service has acquired over 160 miles of right-of-way on the Appalachian Trail. Condemnation authority was used in only two cases both of these involving small land parcels. We believe this constitutes convincing evidence that the condemnation authority will be used only as a last resort when other attempts to obtain settlement have failed.

This concludes my remarks. We are grateful to the Committee for permitting the American Hiking Society to testify on this legislation.

Editorial—A Time for Winning

(By William Kemsley, Jr.)

This is already a good year for backpackers—and it has barely begun. It could be the best year for wilderness since the establishment of the National Park System.

On February 24, President Carter signed into law legislation that turns 1.3 million acres of federal lands into 13 new wilderness areas.

On March 21, the President signed a bill that provides $90 million for the protection of the Appalachian Trail and other scenic trails around the country. It is the first significant legislation the federal government has ever passed for hiking trails.

And now Congress is debating the future of more than 100 million acres of wild lands in Alaska. Our Write Time column in this issue urges you to write to your legislators about this.

In our cover article Congressman Goodloe E. Byron, the author of the trails bill, emphasizes how important it is for you to express your concerns in letters to your legislative representatives in Washington. Hiking is still free almost everywhere. It seems a small price for each of us to pay to write three letters this year—one to our congressman and one to each of our senators—to protect this privilege by setting aside lands in Alaska for future generations.

This is a particularly propitious time for our cause. Our representatives in Washington know that most Americans want the Alaskan wilderness protected. Those who would vote against it would put other priorities first—mainly mining and timber interests.

It is important to keep a couple of facts in mind while the enemy is twisting the truth to suit his needs.

Those who would oppose Alaskan wilderness use two specious arguments about those of us who would defend it. One is that we are an "elitist" group. The other is that we would like to lock up wilderness for the use of a small number of hikers.

But the truth is that we are neither elitist, nor do we want to lock up wilderness for the use of a precious few. The enemy knows this. But also knows what sounds like a good argument.

I have in my hand a confidential report on an opinion survey conducted by one of the organizations that opposes the expansion of federal wilderness lands. The organization retained the Opinion Research Corporation of Princeton, N.J., to conduct a broad-ranging survey of public attitudes toward federal lands, their recreational use, and wilderness. The survey was conducted among a cross section of the United States population as well as among Washington opinion leaders. Its purpose was to help this organization develop a strategy for fighting against further wilderness designation of federal lands. The findings were upsetting to this special interest group.

First of all, the survey showed that only three percent of the general public really believe the elitist argument. The survey concludes the percentage who "accept the 'elitist' argument probably is too small to have any significance."

Secondly, the survey found that only seven percent of the general population feel that we already have too much wilderness, while 32 percent feel we have too little. Of the younger adults, those 18 to 29, 51 percent believe that we have not yet set aside enough.

The survey also studied the kinds of wilderness activities that the general population participates in. The numbers here quash the argument that conservationists want wilderness locked up for the use of a "precious few." The survey shows that

ten percent of the general population are backpackers or hikers on remote trails. That works out to about 25 million people. It also shows 19 percent of the population are hikers on more accessible trails, which translates into 47.5 million people. Add to this 35 million hunters, 12 million horseback trail riders, 12.5 million mountain climbers, 7 million river rafters, and 5 million cross-country skiers. Not exactly a precious few.

President Carter senses this. He is a populist president who is keenly aware of the predominant feelings of the population. And on this issue he is making a stellar performance. Here he is delivering more completely on his campaign promises than we might have hoped for. But we cannot take this for granted.

I like to think of the cardinal rule of poker playing at times like this: "Minimize your losses when you are losing; *but maximize your winnings once you are winning.*" Let us take full advantage of the times. We may never have such a good opportunity to win such critical issues again. Three letters from you will help immeasurably. Let your legislators know that the U.S. population, which is us, is in favor of preserving wilderness in Alaska.

[From the Research Recap—American Forest Institute, Washington, D.C., December 1977]

Public Participation in Outdoor Activities and Attitudes Toward Wilderness, 1977—Opinion Research Corporation, Princeton, N.J.

I. DESCRIPTION

This study was undertaken to measure attitudes toward forest-related recreation vs. development, especially as these attitudes relate to wilderness.

The public survey covered a range of subjects. A parallel study of Washington thought leaders compared attitudes toward National Forests with those held by the public.

The survey, conducted in September, 1977, consisted of interviews with 2,000 members of the general public and 100 Washington, D.C., thought leaders.

In interpreting figures, it must be emphasized that attitudes, not facts, were measured; one in five Americans believe they have visited wilderness areas. True or not, that's a political reality.

It also must be remembered that because 20 percent want more campsites does not mean that 80 percent do not. It is necessary to consider how strongly that 20 percent feels and how effective it might be in the political area.

II. GENERAL SUMMARY

Overall, there was the predictable confusion over the precise definition of statutory wilderness. Wilderness is whatever an individual believes it is. There also were many ambiguous terms: "Remote" trails, for example, were simply secluded to most urban respondents. In general, it appears that there is substantial public anxiety about a perceived shortage of *available* wilderness. The city dweller is not aware that many areas that would satisfy his wilderness criteria are available near at hand and automatically supports any proposal he believes will relieve his anxiety.

One in five said they had hiked on "accessible" trails in the last year; one in ten in "remote" areas. "Developed" campsites drew 20 percent, "remote" campsites 11 percent. More people expect to participate in each activity in the next year, with by far the largest growth expected in "remote" camping.

Generally, the public knows that wilderness areas are different from parks or other recreation sites, and knows what the differences are. Overall, however, the differences don't appear to be overly important. Of those who expressed an opinion, 48 percent said they would not object to "some development" in wilderness areas; 38 percent would object. Here, again, the emphasis was on a recreational experience, not a pure "wilderness" experience.

Only 7 percent say there is "too much" wilderness and 32 percent say "too little." (Males 18–29 in age say "too little" by 51 percent. Overall, 46 percent say "about right," but it would be erroneous to believe this group would oppose new wilderness areas; this simply is an expression of satisfaction.)

Among the 7 percent who say there is "too much" wilderness, economic reasons are most important., The argument that "only a few benefit" from wilderness areas appeals to only 3 percent of this already small group. These percentages (who accept the "elitist" argument) probably are too small to have any significance, but 11 percent of nonwhites say "too much," against 7 percent for whites.

Those who answer "too little" responded in several ways, all reflecting concern that wilderness and wildlife habitat are being lost to development and population pressures. (This parallels concern found among the leadership in other surveys.)

Picnic areas (36 percent) and campgrounds (35 percent) are about equal in leading the list of facilities the public believes should be expanded. Bicycle trails and accessible hiking trails (both 31 percent) are next, followed by beaches and remote hiking trails (both 29 percent) and construction of remote huts and shelters (26 percent). The rankings are about the same for all demographic groups, except among the 18-29 age group, where remote hiking trails vastly outrank everything else.

Non-whites, who are virtually excluded from fores-related recreation, have slightly different expansion goals, but remote hiking outranks more accessible facilities even here.

More support for preservation

After an explanation, both the public and Washington leaders were offered a choice:

". . . increase the yield and sales of timber from our National Forests or . . . preserve these trees in their natural state?"

	Percent	
	Public	Leadership
Increase timber sales	28	36
Preserve trees	62	38
No opinion	10	7
Both		10
Other [1]		9

[1] In both questions, there was criticism of the explanation and the nomenclature from the leadership. Some was of the same type encountered in other surveys: industry often is accused of perverting the definition of multiple use. For example, industry uses "multiple use" to mean available for logging, when that often is the only use prohibited on some land described as "single use."

Following another explanation, the same groups were asked if they favored an increase in timber sales to provide money for road expansion and more public access to National Forests.

	Percent	
	Public	Leadership
Favor	29	15
Oppose	57	69
No opinion	14	3
Other [1]		8

[1] In both questions, there was criticism of the explanation and the nomenclature from the leadership. Some was of the same type encountered in other surveys: industry often is accused of perverting the definition of multiple use. For example, industry uses "multiple use" to mean available for logging, when that often is the only use prohibited on some land described as "single use."

Public wants nearby facilities

The public appears to be marginally inclined toward more developed recreation, and strongly inclined toward sites nearby.

The public is nearly indifferent to the idea of "vast." However, other surveys show the public is unconcerned about a timber shortage and does not believe that the interests of the forest industry and themselves are the same.

Support for "bigger" wilderness really is support for more recreation sites that are available for desirable activities. New proposals are automatically endorsed because the principle is popular.

Little support for timber

It is obvious that opposing wilderness or other set asides on the basis of lost timber-growing potential has no appeal to the public.

Opinion Research Corporation, in a preliminary evaluation of the study results, had this to say:

"We do not find sufficient latent support among the American people to warrant a mass communications program to increase public support for greater timber harvesting on federal lands.

(A) Which of these activities have you participated in during the last 12 months?

(B) Which of these activities do you expect to participate in during the next 12 months?

	Total public (percent)	
	Question A	Question B
Driving for pleasure	58	55
Walking for pleasure	56	52
Sightseeing	50	46
Swimming	43	40
Picnicking	42	39
Indoor sports	42	42
Outdoor sports	41	38
Attend sports	38	39
Fishing	32	32
Nature walks	27	28
Bicycling	26	27
Outdoor drama, concerts	22	24
Camping: developed	20	21
Hiking: accessible trails	19	20
Tennis	17	19
Jogging	17	17
Canoeing/sailing/rowing	14	16
Power boating	14	13
Hunting	13	14
Camping: remote	11	14
Golf	11	12
Motorcycle/trail bike riding	11	10
Hiking/backpacking remote trails	10	11
Ice skating	9	12
Sled/toboggan	9	11
Water skiing	8	9
Horseback riding accessible trails	6	7
4-wheel, off-road	6	6
Downhill skiing	5	8
Horseback riding: remote trails	5	6
Mountain climbing	5	6
Snowmobile racing	4	5
Rafting	3	4
Aerial activities	3	4
Cross-country skiing	2	3
None	8	9

"Instead, since this issue is perceived more rationally and with greater expertise among Washington thought leaders, we recommend that your persuasive efforts be directed toward this target audience, among others.

"One factor seems to cut both ways in the arguments on this issue: U.S. population pressure. On the one hand, this is seen as a reason to set aside even more wilderness for future generations. On the other hand, it can become a cogent argument for providing access now to areas which can offer recreational opportunities to people who already live in crowded surroundings.

"The forest industry and its trade associations might consider a public communications program advocating greater federal activity in setting aside forests for recreation and preservation in the more heavily populated areas of the country, such as the pine barrens of southern New Jersey, and diverting future federal activity away from the spacious western areas alredy set aside."

In whatever course the industry takes, it is obvious that the effort will have to be long term, and that it must recognize the needs felt by the public as well as the needs of the economy.

Which of these kinds of national recreational facilities do you think should be expanded?

	Total public	18–29	City	Nonwhite
Picnic areas	36	36	36	35
Campgrounds	35	40	34	30
Bicycle trails	31	42	32	24
Accessible hiking trails	31	40	31	17
Beaches	29	36	32	27
Remote hiking bridle	29	45	29	18
Remote huts/shelters	26	28	24	15
Hotel/motel/cottage	16	12	16	18
Easily reached: bridle paths	14	20	15	12
Restaurants	12	10	13	15
Motorbike trails	9	15	11	7
Powerboat marinas	6	8	6	5
None	7	5	7	9
Don't know	12	4	11	18

Senator HANSEN. Thank you very much, Mr. Garvey. I appreciate your presence here and your statement.

The record will be kept open to provide opportunities for additional statements.

Mr. GARVEY. How long will the record be kept open, sir?

Senator HANSEN. Two weeks.

Mr. GARVEY. Two weeks. OK. Thank you very much.

Senator HANSEN. I ask unanimous consent that a letter written to Senator Church by William Kemsley, the executive editor and publisher of the Backpacker Magazine, and a statement submitted by Senator Stevens be included in the record.

Mr. GARVEY. Right, sir, and I've provided a copy.

Thank you.

[The letter and statement of Senator Stevens follows:]

BACKPACKER MAGAZINE,
Bedford Hills, N.Y., April 25, 1978.

Senator Frank Church,
Subcommittee on Parks and Recreation,
Washington, D.C.

DEAR SENATOR CHURCH: I've a very keen interest in the various trails bills before your committee—S. 2659, 2660, 2661, 2662, 2663, 2664 and 2705.

I'd like to go on record with your committee as favoring the passage of these bills. And, I'd further like the opportunity to testify on behalf of the bills at the hearings which I understand to be tentatively scheduled for May 1.

Respectfully yours,

WILLIAM KEMSLEY,
Executive Editor and Publisher.

STATEMENT OF HON. TED STEVENS, A U.S. SENATOR FROM THE STATE OF ALASKA

Mr. Chairman, I am pleased to cosponsor S. 2974, a bill to amend the National Trails System Act by establishing an historic trails category and designating therein several historic routes. The legislation now under consideration encompasses several other bills which have been introduced during the 95th Congress. One of those, introduced by Senator Gravel and me, would establish the Iditarod Trail in Alaska as an historic trail. I am pleased that S. 2974 includes the Iditarod Trail as well as the Oregon Trail, the Morman Pioneer Trail, and the Lewis and Clark Trail. Each is worthy of inclusion in the new historic trail classification that S. 2974 would create.

The National Trails System Act directed the Secretary of the Interior to study gold rush routes in Alaska to determine their suitability for inclusion in the system. Among those studied was the Iditarod Trail. The Bureau of Outdoor Recreation report on the Iditarod concluded that:

"The entire Seward to Nome route, including appropriate branch, alternate, and Iditarod Sled Dog Race Routes, and related sites should be designated as a National Trail System."

More recently the Department of the Interior transmitted to Congress for its consideration a report entitled, "The Iditarod Trail (Seward to Nome and Other Gold Rush Trails)". The report recommends Congressional designation of the Iditarod as a National Historic Trail. As the Department did not include draft legislation with their recommendation, the bill being considered today provides an excellent opportunity to recognize and protect this historic route.

The Iditarod Trail ran from tidewater at the ice-free port of Seward, across the Kenai Peninsula, through the Chugach Mountains, across the Susitna River Valley, through the massive Alaska Range, across the Kuskokwim and Innoko River country to the Yukon River, down the Unalakleet River to the Coast of Norton Sound and then across the Sound to Nome.

Although the line is popularly known as the Iditarod Trail, only a part of it served the Iditarod gold fields. The proposed national historic trail now under review incorporates trails which served gold strikes in several areas of Alaska during different periods. I am providing for the *Record* copies of maps which illustrate the different lines included in the Iditarod Trail. These maps appeared in the study completed by the Deprtment of the Interior. (Special note—these maps appear on pages 27–28 in Study Report).

The history of the Iditarod predates the rush for minerals. There is evidence that the Trail was used as far back as 6000 B.C. The Iyateyet site, on Cape Denbigh Peninsula in the Norton Sound region, dates to that period with evidence indicating that the first Americans may have lived there. The English explorer, Vancouver, used portions of the Iditarod in 1794 and reported signs of the Trail's being used hundreds of years prior to his visit. Russian fur trappers and traders also used segments of the Trail to ply their trade in Alaska.

More recent uses of the Iditarod Trail, of course, included the travels of gold seekers who came to Alaska seeking their fortunes and meeting their future. The Trail we seek to protect includes the routes used by these early Alaskans in the Hope and Sunrise areas in 1888. The Trail served for year-round transportation of mail, supplies, travelers, and of course, adventurous tourists during the famous Klondike Stampede of 1898. In 1907 and 1908, gold discoveries in the interior of Alaska occurred which resulted in W. L. Goodwin of the Alaska Road Commission surveying a winter trail from Seward to Nome along the already well-traveled route. The last major gold rush in the United States occurred following a discovery near the Iditarod River. The strike prompted the Alaska Road Commission to permanently mark and clear the trail explored by Goodwin in 1910. That trail is a major portion of the route that would be included in this bill.

The Iditarod Trail is well over 2,000 miles long. Because of its length it offers a variety of climate, terrain, scenery, wildlife, recreation and historic resources that can be found in few other places in the United States. The Trail crosses mountains, tundra, river ice, and even glaciers. Yet, despite its length and diversity all but a small portion of the Trail is in public ownership. The State of Alaska owns only a small segment near Anchorage. Even after the Alaskan Natives receive title for their land under the terms of the Alaska Native Claims Settlement Act, less than 300 miles of the Trail will be in private ownership.

The Trail serves many Alaskans even though long stretches are only passable in the winter season. The Crow Pass Trail through the Chugach Mountains north of Girdwood is maintained by the U.S. Forest Service, as is the twenty-two mile Johnson Pass Trail on the Kenai Peninsula. A twenty mile winter ski trail exists over Indian Creek Pass and has been improved by the State of Alaska Division of Parks to accommodate summer hikers. The Girl Scout Council of Anchorage in 1975 reestablished another twenty mile section in the Chugach State Park. Public and State commitment to the Trail is strong.

During the winter months the Trail is used as a vital link between native villages. Residents along the Iditarod use the Trail for subsistence hunting and fishing activities. In addition, the 1,049 mile Iditarod Trail Dog Sled Race is run annually. This event recreates the dramatic rush by Alaskans to get badly needed medicine to the town of Nome in 1925 when a diphtheria epidemic threatened the entire population of that area. A relay of twenty dog-mushers and their teams rushed the precious serum 674 miles from Nenana to Nome in a record time of 127½ hours during the cruelest winter weather conditions.

So this Trail has a great historical and cultural significance to Alaska and the rest of the United States. But this Committee should not ignore the vital role that the Trail still plays in the lives of Alaskans. In addition to its recreation potential, it still provides a transportation route for people who would otherwise be isolated.

The law as now written does not provide for any designation or protection of historic trails, therefore, a new category is needed to protect those trails which,

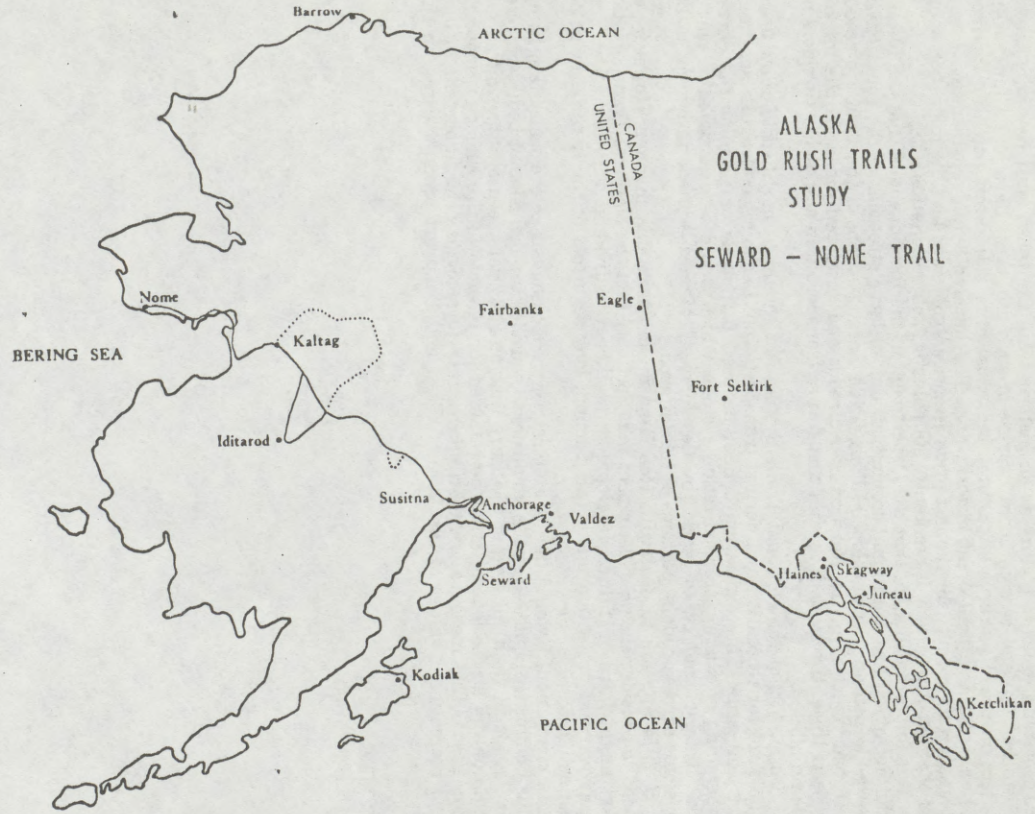
although not available for intensive recreation uses, are still vital parts of America's past. In order to qualify as an historic trail, the route must be established by historical use and be significant because of such use; must have had a far-reaching effect on broad patterns of culture; and, must offer significant potential for recreational use as a trail or at historic sites. The Iditarod Trail, representing a major transportation route for the last great American gold rush and the migration routes of the first Americans, is eminently suitable for such designation.

It is important to note that the Department of the Interior found that the Iditarod did not qualify as a national scenic trail due to large stretches of the route having very low potential as developed hiking trails. Large portions of the Trail are used by off-road vehicles, having functioning railroads and developed roads. As the Iditarod bisects the entire state, it is vital that future transportation and utility corridors not be prohibited.

Section 7(c) of the National Trails System Act should be modified to allow use of the Trail for recreation and normal transportation. I echo my colleagues' sentiment on this issue. This legislation cannot be used to impede or prohibit the normal upgrading of existing transportation systems which would be designated as part of the historic trail or to block the development of new transportation or utility systems across or along portions of the Iditarod.

S. 2974 appears to deal with this issue in an acceptable manner. However, we need to consider the possible impact that Section 4(f) of the National Transportation Act might have on future development. Although individual sites along the Trail may warrant protection under this Section, long segments of the Iditarod must not be included.

In conclusion, I would like to reiterate my endorsement of the legislation before this Committee. I also urge the Members to consider the inclusion of bodies of water and roads in the trail system to insure that off-road vehicle use be permitted and right-of-way across federal lands be retained for possible future surface transportation needs. This measure offers an opportunity to recognize the important historic and recreational values of the Iditarod Trail and I support prompt action on this measure.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Fairbanks
Eagle
Fort Selkirk
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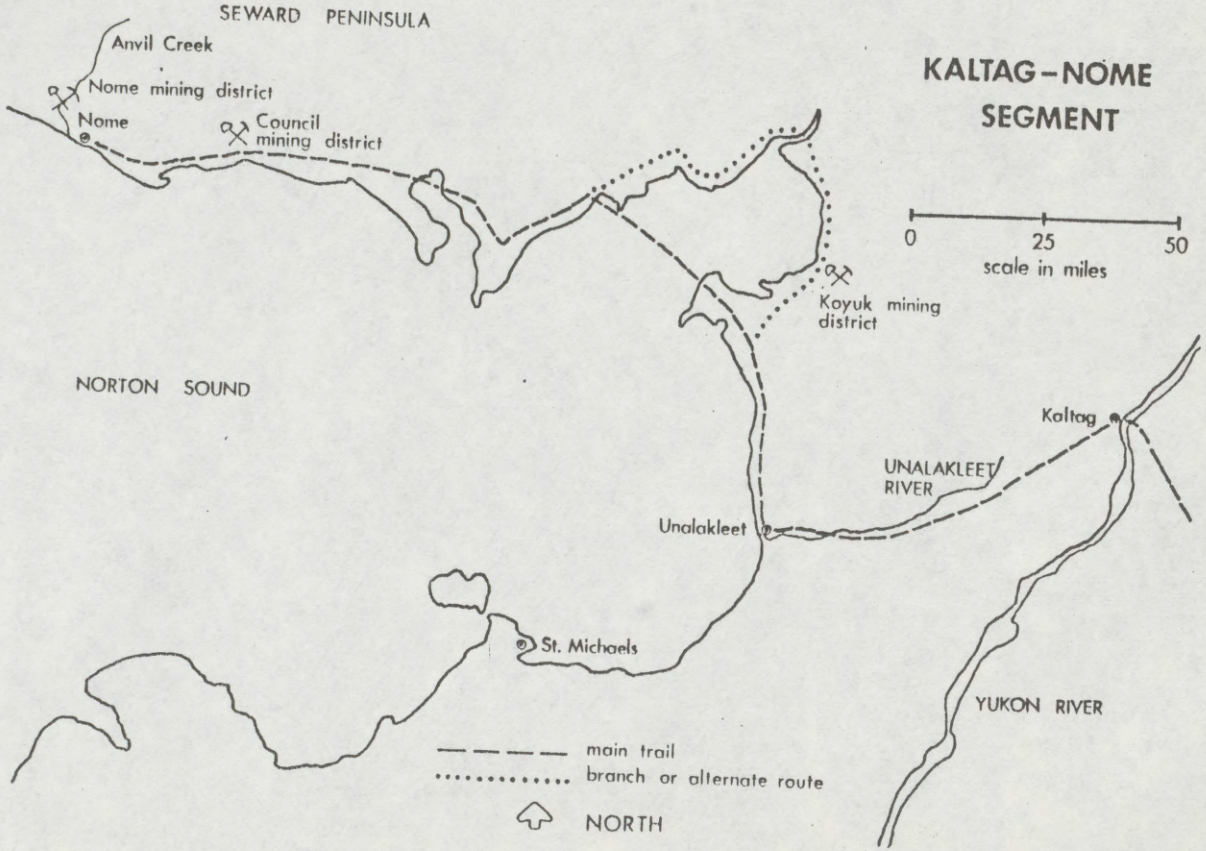
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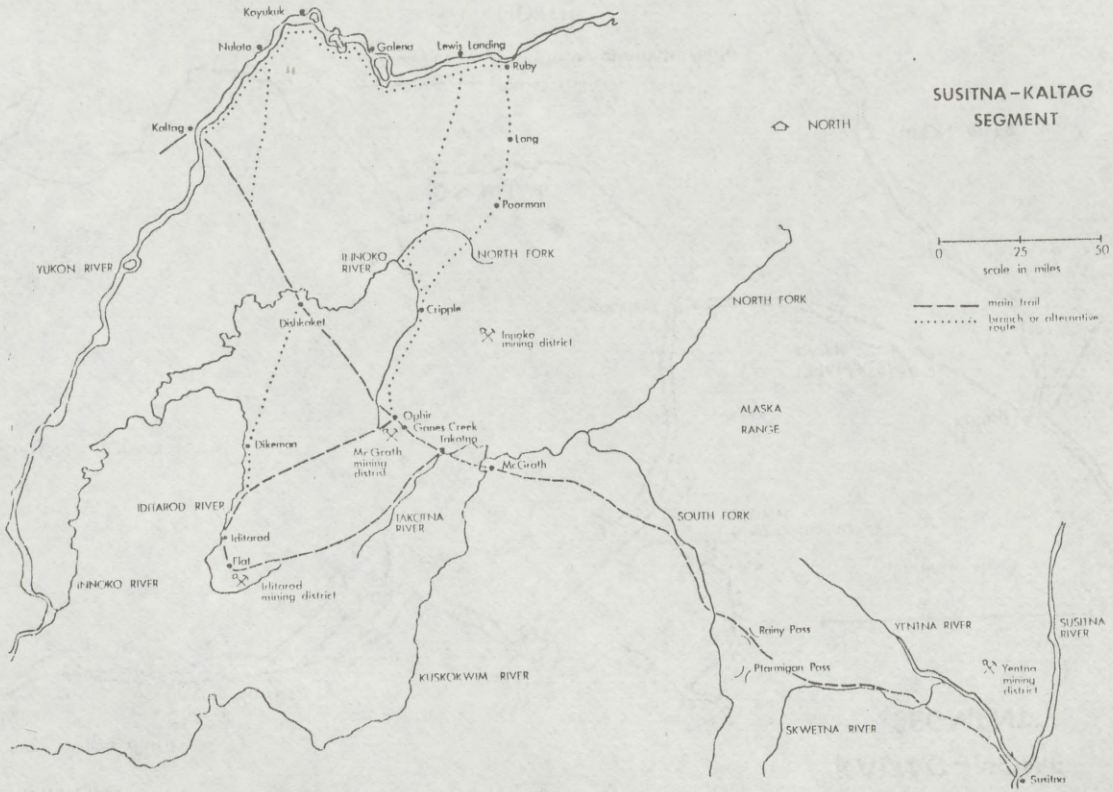
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Long
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NORTH FORK
Cripple
Dekkeket
Innoko mining district
Ophir
Games Creek
Iditarod
Dikeman
McGrath mining district
McGrath
IDITAROD RIVER
TAKOTNA RIVER
Iditarod
Flat
Iditarod mining district
INNOKO RIVER
KUSKOKWIM RIVER
NORTH FORK
ALASKA RANGE
SOUTH FORK
Rainy Pass
Ptarmigan Pass
YENTNA RIVER
SUSITNA RIVER
Yentna mining district
SKWETNA RIVER
Susitna

Senator HANSEN. That concludes the hearing. The hearing will be recessed subject to the call of the Chair.

[Whereupon, at 11:17 a.m. the hearing was recessed, subject to the call of the Chair.]

APPENDIX

Additional Material Submitted for the Record

The American Hiking Society,
Boulder, Colo., May 8, 1978.

Hon. James Abourezk,
Chairman, Subcommittee on Parks and Recreation,
Washington, D.C.

Dear Senator: I am extremely pleased that the Sub-Committee on Parks and Recreation has set aside time for a public hearing on bills S2659, 2660, 2661, 2662, 2663, 2664 and 2705.

While we had a representative at these hearings, I want to go on record as favoring the passage of these bills.

Sincerely yours,

James A. Kern, *President.*

Jackson, Wyo., *May 6, 1978.*

Hon. James Abourezk,
Chairman, Senate Parks and Recreation Subcommittee, U.S. Senate, Washington, D.C.

Dear Senator Abourezk: Please refer to Omnibus Trail Bill (HR 6900).

I want to go on record against this bill. If the power of eminent domain can be used for such as this where will it stop?

Very truly yours,

Parthenia Stinnett.

Salt Lake City, Utah, *April 17, 1978.*

Re National Historic Trails Act of 1978.

Hon. James Abourezk,
Senator of South Dakota,
Washington, D.C.

Dear Senator Abourezk: As Chairman of the Senate Parks Sub-Committee, you have been pressed by our crafty Utah senators Garn and Hatch to affect legislature to designate a Mormon Trail across the western United States.

I believe, at no better time would it be appropriate and in the best interests of all Americans, that the Oregon and California Trails be given protection against further, continued subtle and improper intrusion of these two old trails by Utah Mormons. Through infiltration of county and state offices and cunning use of sub-authority, Mormons have already improperly designated the Oregon Trail as being the Mormon Trail using a roadside tourist sight located in the Wyoming South Pass area as well as Wyoming State Highway maps to enhance and grossly promote at the expense of others their place in American history.

The Oregon and California Trails are older and more vital to us than a minor trail peculiar to a relatively small number of westbound bands of Mormon emigrants of the time. Properly, the Mormon Trail should be designated separate and apart from the Oregon and California throughout our national and state historical sights and documentary references thereof.

As history tells it, the Mormons chose to take the north bank of the Platte River through Nebraska to Casper, Wyoming instead of the Oregon Trail across the river

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to the south. At Casper they left their trail crossing the Platte to the Oregon Trail and continuing on to the California turnoff at South Pass to the Sweetwater River and Independence Rock to Fort Bridger (1843) east through Echo Canyon (Donner Party 1846) to the Great Salt Lake Basin.

It is therefore believed, that a true designation of the Mormon Trail is that portion on the north bank of the Platte between Council Bluffs and Casper and that no other trail be so designated. The remaining trail used by the Mormons is Oregon and California and these trails should not be allowed subtle infringements made upon them by history promoters for Utah alone.

You will kindly notice from the Wyoming map enclosed herewith, that all three trails are shown to American tourists as one trail—with the Mormon Trail at the head of the list and the older Oregon Trail given the bottom of the list revealing shadowy intent to monopolize western trail history which points-up my concern.

If the rest of us knew more of Mormon history, every American would be more wary of their methods, motivations and sincerity.

Cordially,

JAMES HILL.

P.S. Senator John McClelland D-Ark. now deceased never allowed anything of a Utah nature to get by him until he had given it prudent delay for 1 to 2 years and for good historical reason.

STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES,
DIVISION OF PARKS,
Anchorage, Alaska, May 3, 1978.

Hon. HENRY JACKSON,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, D.C.

Re 1600.

DEAR SENATOR JACKSON: Senator Gravel has advised me that your Subcommittee on Parks and Recreation is considering several bills that provide for National Historic Trail designation, including one that would name the Iditarod Trail.

The Iditarod, which runs from Seward to Nome, crossing Alaska in a diagonal fashion, was developed beginning about 1910 as a trail to the gold fields of the Innoko Region and subsequently as a mail trail. The trail itself is now in several areas incorporated as a part of the State highway system and the Alaska Railroad, but in other areas is used for the annual Iditarod Sled Dog Race from Anchorage to Nome. It offers unusual historic and scenic viewing opportunities as well as recreation potential. It's a trail in Alaskan and National history well-worth commemorating. I trust you will give this proposal positive consideration.

I would hope also that officials of the National Historic Landmarks program of the U.S. Heritage Conservation and Recreation Service have commented on this bill. As you know, there is an existing program for identification and designation of National Historic Landmarks, and it appears to me that the National Historic Trail designation will ultimately have to be integrated with that operation.

Sincerely,

TERRY A. MCWILLIAMS,
Director of Parks.

THE UNIVERSITY OF WYOMING,
WESTERN HISTORY RESEARCH CENTER,
Laramie, Wyo.

THE SUBCOMMITTEE ON PARKS AND RECREATION,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
U.S. Senate, Washington, D.C.

To: Susan Fetchko.
From: Gene M. Gressley, May 1, 1978.
Subject: Pertaining to the historical significance of the Oregon Trail.

Of all the storied trails across the American West, The Santa Fe Trail, The Overland Trail, The Hastings Cut-Off, The Union Pacific Railroad, the most legendary in actuality and myth is The Oregon Trail. Drawn by the magnet of gold, over six thousand goldseekers and some one hundred thousand animals traveled this bone-wearying route to what they hoped was fortune and fame in the year 1850 alone.

Today, it remains to commemorate their passage, their dreams of Golconda, their contribution to Manifest Destiny, and to the civilization that they endeavored to transmit from the east to the west in some meaningful and concrete form. There are thousands of unmarked and hundreds of marked graves which are scattered along the Trail which still can be seen today and which serve as a mute testimony to the tremendous effort of these western pioneers. While we concede that there is little of formal evidence to trace the route of these pioneers on their way west, without the efforts of these thousands of pioneers, obviously the west would never have become the west of today. For on their efforts was built, economically and politically a civilization that has now become recognized as holding the future of what we all know as the greatest democratic heritage established in the history of the world.

It is my personal pleasure and privilege to endorse the work of the Oregon Trail Bill, H.R. 6900, now being considered by the Senate Committee on Parks and Recreation. I assure you of my most enthusiastic support of your measure which promises, at long last, to give permanent recognition to those dedicated men and women who did so much to build our west of a century ago.

CHINOOK CHALET,
Cody, Wyo., April 22, 1978.

Hon. JAMES ABOUREZK,
Chairman, Senate Parks and Recreation Subcommittee,
Washington, D.C.

DEAR SENATOR ABOUREZK: We are definitely opposed to the Oregon Trail Bill, H.R. 6900 and sincerely ask you to vote against it.

More and more farms and ranch land is being taken out of production and subdivided into home lots. There will soon be an acute shortage of farm land for crops to feed the people of this country.

We also strongly object to the federal government gaining eminent domain over a 2000 mile long piece of land from Independence, Missouri to Portland, Oregon crossing private farm and ranch land and opening it up to recreationists who litter, leave gates open, and are often thoughtless and careless . . . all at an additional cost to the tax-payer to maintain.

Ranchers and farmers are taking a beating already on farm prices, from environmentalists, conservationists, and bureaucratic regulations. *Please* don't add anything more to our overwhelming problems!

It is a nice idea to honor the historical Oregon Trail, but it is time we all faced some hard facts, cut down on the costly pleasures we all enjoy but can't afford right now, and make some attempt to balance the budget!

Sincerely yours,

MR. AND MRS. DONALD SIGGINS.

WYOMING WOOL GROWERS ASSOCIATION,
Casper, Wyo., May 1, 1978.

Hon. HENRY M. JACKSON,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: Please enter the following comments in the hearing record on H.R. 6900, an act to amend the National Trails System Act of 1968.

The Wyoming Wool Growers Association represents approximately 1,200 sheep raisers, many of whom would be affected by designation of the Oregon Trail as a unit of the National Trails System.

The Wyoming Wool Growers Association is greatly concerned about some of the provisions in H.R. 6900. If the Oregon Trail is designated a national historic trail, acquisition and development would affect many of our members. If the trail bisects a fenced pasture, it could disrupt an entire livestock operation. It could cause extreme hardship and create many management problems for farmers and ranchers. Hundreds or even thousands of acres could be taken out of production and taken off the tax rolls. The landowner and the county in which his property lies would be paying the bill for the historic trail.

Our principal objection to the bill is the federal acquisition of private property by eminent domain. Every property owner would be threatened by the possible condemnation of his land for the preservation of historic values in a time of inflation and unemployment that is already gnawing away at the basis of our country. The

right to acquire and own property is one of America's most precious freedoms. Government intrusion on this freedom will jeopardize the delicate balance between private citizens' rights and government intervention.

We feel that the State of Wyoming is being torn asunder with Wilderness studies, Environmental Impact Studies for land management, and land use planning by federal and state agencies. An additional study of the Oregon Trail which bisects Wyoming from east to west would create one more disturbance and would delay orderly development.

We would prefer that historic trails be marked but not necessarily preserved. Wyoming is proud of the part she played in development of the West, but no one can prevent erosion by the natural elements, not even the federal government.

Best regards,

JESSIE BAKER,
Executive Director.

NATIONAL WILDLIFE FEDERATION,
Washington, D.C., May 3, 1978.

Hon. JAMES ABOUREZK,
Chairman, Subcommittee on Parks and Recreation,
Washington, D.C.

DEAR CHAIRMAN ABOUREZK: As the enclosed 1963 Resolution indicates, The National Wildlife Federation has a long history of interest in the establishment of a Lewis and Clark Trail. This historically significant route promises great recreational and educational opportunities to the nation.

In this context, the Federation supports S. 2664, to establish a 3700 mile Lewis and Clark Historical Trail. We feel that this proposal is a good first step in protecting this historic trail, and in providing varied recreational opportunities. We hope that state, local and private interests involved in segments of the proposed trail will move quickly to join in this important effort.

The Federation also urges the Subcommittee to dedicate this trail to Jay N. "Ding" Darling. We feel that this recognition would be a fitting tribute to this true conservationist, and originator of the Lewis and Clark Trail concept.

Thank you for this opportunity to express NWF's views. We request that these comments be made part of the permanent record.

Sincerely,

THOMAS L. KIMBALL,
Executive Vice President.

NATIONAL WILDLIFE FEDERATION—27TH ANNUAL CONVENTION, DETROIT, MICH., MARCH 1-3, 1963

RESOLUTION NO. 2—ESTABLISHMENT OF LEWIS AND CLARK TRAIL

Whereas the Lewis and Clark Expedition of 1803-06 was one of the most significant projects in the exploration and subsequent development of the western United States; and

Whereas the water courses, overland trails, and mountain passes followed by the Expedition are marked by many monuments, memorials, and other historical points of interest which should be linked and preserved; and

Whereas a trail or parkway along this route from St. Louis, Mo., to Astoria, Oreg., would offer many outdoor recreational opportunities to major segments of the nation's people; and

Whereas much of the land needed for such a trail already is under public ownership of agencies of Federal, State, or local governments: Now, therefore be it

Resolved, That the National Wildlife Federation in annual convention assembled March 3, 1963, at Detroit, Mich., hereby endorses the establishment of the proposed Lewis and Clark Trail as a lasting tribute to the late Jay N. "Ding" Darling, first president of this organization and outstanding conservationist who first conceived the idea of the project; and be it further

Resolved, That copies of this resolution be distributed to the Secretary of the Interior, the director of the Bureau of Outdoor Recreation, and Governors of the ten States bounding the proposed route.

DUMBELL RANCH,
Alcova, Wyo., May 4, 1978.

Hon. JAMES ABOUREZK,
Chairman, Senate Subcommittee on Parks and Recreation,
U.S. Senate, Washington, D.C.

DEAR SENATOR ABOUREZK: Enclosed is a Statement of Opposition to the Oregon Trail Bill (HR 6900). This is a personal statement from me, and I am formally requesting that it be placed in the RECORD.

I sincerely hope that you and the other members of your subcommittee will take the time to read this enclosed Statement of Opposition. If you will take the time to read it, I think you may find it somewhat different from many Statements which are submitted for Record; in part, because I speak from *direct* experience in this Statement!

It is my profound hope that the Oregon Trail Bill, which I know to be a potentially dangerous bill, will be soundly defeated!

Sincerely,

GAYNELL PARK.

Enclosed.

STATEMENT OF RECORD IN OPPOSITION TO OREGON TRAIL BILL (H.R. 6900)—FROM GAYNELL PARK, OF WYOMING

Please enter this Statement in the RECORD, as strongly opposing the Oregon Trail Bill (HR 6900), and its companion legislation, S. 2974.

The following Statement could be considered to contain some human emotion. Most expressions from human beings, when transmitted from the heart, are touched with emotion. This Statement comes from the depth of my being, but also includes hard, accurate facts! I make no apologies for any sensitive descriptions which are included—one should never need to be ashamed of honest, human feelings, as long as they are stated factually.

The faith and credibility which I used to feel in our government have been tragically shaken over the past few years. It is becoming apparent that the quotation which states that "There are men who can easily bear the misfortunes of another person, perfectly," has begun to describe some of the current officials and lawmakers! I, personally, cannot easily bear the misfortunes of another person, because I have been directly touched by misfortune in the form of government infringement, and I would never want such misfortunes ever to touch any of my fellow human beings! I have begun to feel that the only way to wake some present-day lawmakers up to reality would be for them to be directly touched by a similar government-instigated misfortune, themselves!

Five years ago, if someone had predicted such happenings (as did happen) would affect me and my family, I would have laughed in disbelief. No longer would I laugh! Why? Because a state agency, in the most underhanded way imaginable, without the legal authority (under state statute) attempted to cripple my family's livelihood and to infringe on our private rights, in a manner so outrageous as to be beyond belief! (There are records of proof of these indignities.) Until those happenings, I had been a happy, busy, naive lady, involved with being a ranchwife, mother, and civic-affairs worker. My naivete ceased abruptly, and was replaced with horror and disbelief. The stress of the possible destruction of everything we had worked for, and believed in, and planned for our children, finally caused me to become physically ill. I had always been healthy and full of energy until then, but the extended period of strain, dismay and shock placed upon my family and me eventually resulted in a physical illness which nearly took my life.

Now, as a result of a bill such as the current Oregon Trail Bill, if made into law, I can certainly see the possibility of such ghastly happenings as those which my family and I went through, being opened up to affect people from Missouri to Washington and Oregon! Can the present Washington, D.C. lawmakers, who are promoting the Oregon Trail Bill, even begin to conceive the magnitude of the tragedies they could be making legally possible if they give the federal government (or a state government, or agency) the legal right of transgression of private rights and property? Must proponents of such legislation have to be personally adversely affected before they can see what could happen to honest, law-abiding and highly respectable American citizens, if government authority should be made too broad and should fall into the wrong officials' hands?!

Both my parentage and my husband's parentage go back a long way in Wyoming. My husband and I both have lived and worked here all our lives; our children were born here. We loyally care for and try to preserve our beloved State of Wyoming;

our western heritage; our way of life; and the hope for a good way of life for our children and someday for their children.

Our home and the ranch in which we have deep pride, and to which we have devoted untold hours of family-involved exhausting work toward its upkeep and productiveness, happens to have portions of the Oregon Trail running directly through the middle of the private property of the ranch.

This ranch originated in the 1880's. Since the point in time when people began to consider the Oregon Trail as historical, there has been excellent rapport—from the old-time owners of this ranch, right down through the current ones—between the ranch provate landowners and any history-interested general public. Few landowners and business people are so thoughtless and uncaring as to deny shared appreciation of historic areas, and few landowners are crass enough to obliterate or destroy items of historic significance! Some of the general public would desecrate an area—but few business prople and/or private property owners would consider destructiveness—primarily because most people involved in the free-enterprise system of this country still take pride in their surroundings!

Common-sense priorities seemingly are becoming a thing of the past in regard to many short-sighted government bills. People who are otherwise normally logical, often seem to lose touch with reality and perspective whenever they jump on the "historic-site preservation" bandwagon. The chipping away of private land rights are shocking and opprobrious! The assault on private property is wrong, and I seriously question how the "do-gooder," chanting, "Historic preservation," would react to having the Department of Interior, or any other federal or state agency, take away, through condemnation (eminent domain) his or her home or business! These condemnation threats are an entirely new precedent-setting type of condemnation, bucause this type of condemnation would establish government rights of eminent domain for taking private property for nonessential use! Whenever a government agency infringes on private rights and property and livelihood, then there should be priorities! "Historical" and "natural" sites or items are being carried too far, under the guise of preservation for future generations! What about the preservation of land for livelihood, homes, and food production for future generations?! If carried to the extremes some desire, almost every sagebrush, rock, and piece of land could either be preserved by classification as "natural" or as "historical" because someone ascertained a certain weed was "natural" or that Jim Bridger had spit his chewing tobacco on a certain rock!

My family and I were born, reared and live in an area full of history—both of historical happenings and sites. My husband, in particular, has always been deeply interested in history, and in addition to studying history for many years, he has also absorbed and retained information told to him, since his young childhood, directly from many old, old timers. Although interested in and appreciative of history, at least my family has the good sense to realize that our western heritage includes many more factors than just those deemed as "historic items, sites, or trails!"

Much of Wyoming's private property includes historic locations of one form or another (as do many states' private property). Most private landowners who have sites of major historic interest on their private property have, throughout the years, shared such locations with the public. Numerous historic sites are already preserved, and, ironically, some which remain on private lands have been better preserved and cared for than have many of those under government ownership!

A fact which everyone would do well to remember is that prior to the time when most of the "historic sites, trails, etc.," were created in this country, there was a foundation laid of far greater historic significance—that of the Constitution which gave Americans the right to "life, liberty and the means of sustenance." Also, of historic significance, but one on which attempts of abuse are flagrantly being tried, is the right to own private land and property!

Less than two years ago, the U.S. Department of Interior spent many tax dollars in erecting cement markers all along the Oregon Trail in Wyoming (and presumably in the other states as well). Surely the time and money already spent should suffice, without carrying the Oregon Trail expenditures, and possible violations of private rights, to ridiculous proportions! If the American people need anything, it is less government spending and infringement, not more encroachment and creation of more expensive, nonessential programs!

Leon Zaworski once said,

"From Watergate we learned what generations before us have known: Our Constitution works."

I know most of our elected lawmakers are men (and women) of integrity, and will surely realize, after consideration, that the Oregon Trail Bill (HR 6900) attacks the basic tenet which our Constitution provides.

WYOMING'S COW-BELLES,
DUMBELL RANCH,
Alcova, Wyo., May 1, 1978.

HON. JAMES ABOUREZK,
Chairman, Senate Subcommittee on Parks and Recreation,
U.S. Senate, Washington, D.C.

DEAR SENATOR ABOUREZK: Enclosed is a Statement of Opposition to the Oregon Trail Bill (HR 6900), which I am formally requesting be placed on the RECORD.

I sincerely hope you will take the time to read this enclosed Statement of Opposition from Wyoming's Cow-Belles. Our Cow-Belle organization represents 1,334 Wyoming ranch women, who feel deeply about the inherent dangers of this bill, and we hope that the bill will be defeated in its entirety!

Sincerely,

GAYNELL PARK,
President.

Enclosure.

STATEMENT FOR RECORD IN OPPOSITION TO OREGON TRAIL BILL (H.R. 6900)—FROM WYOMING'S COW-BELLES

Wyoming's Cow-Belles, which represents 1,334 ranch women in Wyoming, wishes to have this Statement entered in the RECORD, as stongly opposing the Oregon Trail Bill (HR 6900). We also oppose its companion legislation, S. 2974.

Wyoming's Cow-Belles oppose the Oregon Trail Bill for numerous reasons. Some of the major reasons for opposition are:

1. The eminent domain feature of the Oregon Trail bill, which allows government to take private lands for public use on all national trails, is a serious invasion of private property rights! In fact, such action is in direct contrast to the Bill of Rights, which is supposed to guarantee Americans the right to acquire and own private property, and also the right to enjoy their homes, property and privacy, without unreasonable government intrusion. The Oregon Trail Bill, like other bills which have come before Congress recently, strives in large measure, to deprive American citizens of their basic rights.

2. In addition to the violation against the rights of the individual property owner, one of the greatest dangers in the Oregon Trail Bill lies in the precedent-setting tactics of using condemnation (eminent domain) to gain private property for nonessential use!

3. The Oregon Trail Bill could jeopardize the welfare of present and future property owners, livestock producers, farmers, and other businesses because it is such an unrealistic piece of legislation. Such facts should be seriously considered whenever eminent domain is even suggested!

4. Government establishment of the Oregon Trail route could create a corridor effect directly through the middle of an individual's agricultural or other business unit, or even through or alongside his home and ranch, or other business buildings. Such possibilities would cause indescribable personal hardships, stress, and management problems for thousands of ranchers, farmers, other businesses, and home owners!

5. Wyoming's Cow-Belles ask Washington's lawmakers to weight the priorities of establishing a government-controlled, nonimperative trail (whether it eventually be federal or state controlled) against the productive ranch and farm units which would be crippled or destroyed; the destruction and complications for food production and for grazing for domestic livestock (which livestock produce food, fiber, life-saving medicines, and other necessary products, as well as an economic base for Wyoming and for many of the other affected states). There would be accompanying harm to other non-agricultural businesses near the Oregon Trail; to homes; and to numerous other segments of the areas concerned.

6. Government acquisition of the Oregon Trail would also remove thousands of acres of land from the tax rolls. In return for the removal of these tax dollars, there would be sizeable expense incurred for governmental establishment and management of the Trail!

7. Augmenting the wide-spread harm to individuals, and harm to the overall economy which this Trail would create, it would produce a multitude of other

complications; such as, for just one example—fencing or non-fencing. Fencing would present numerous problems and expense; non-fencing would produce numerous problems and expense. It would appear that cases of simple practicality have been ignored or overlooked in this proposed legislation, along with the shocking assault on individual rights. Don't fundamental rights of individuals count in this country anymore—is it only "supposed pleasures" which impress current lawmakers?

8. The Oregon Trail Bill is redundant legislation which does not take into consideration the fact that many tax dollars have already been recently spent on placing cement markers (which were not even always accurately placed) by the Department of Interior, on BLM and some private lands, all across Wyoming, and presumably in the other Oregon Trail states as well.

9. There is great irony in such an unneeded, dangerous, octopus-like piece of legislation even being considered, which would gove unwarranted expansion of government infringement at a time when there is growing public desire and demand for less government controls, spending, and bureaucracy!

10. We ask each of you Senators to look deeply into your own heart and honestly answer how (providing you were out-of-office and back in the world where most of us who elect you live) *you* would feel if your *own* personal home and/or business were threatened by government takeover, for nonessential use!

11. Wyoming's Cow-Belles feel that if this Oregon Trail Bill is made into law, and if the eminent domain provision is not deleted from *all* national trails, that with the wrong people in office or in an official capacity, that the results could be devastating—not only regarding all the above-mentioned facts, but also to American Freedom, itself! Lawmakers and the American public alike should all remain acutely aware that the power of government condemnation (eminent domain) can be easily abused by including it in various enabling acts passed by Congress, thereby eroding individual rights which are *precious* to the American system!

Sincerely,

GAYNELL PARK,
President.

DEPARTMENT OF TRANSPORTATION,
PARKS AND RECREATION BRANCH,
Salem, Oreg., May 3, 1978.

THE SUBCOMMITTEE ON PARKS AND RECREATION,
Committee on Energy and Natural Resources, U.S. Senate, 3102 Dirksen Building, Washington, D.C.

Attention: Susan Fetchko.

Please record my support for H.R. 6900, the Oregon Trail Bill, which is awaiting action in your Subcommittee.

It is important to act now to save intact some of the visible remnants of our historic trails.

Sincerely,

JACK REMINGTON,
Coordinator, Recreation Trails System.

Colorado Municipal League, May 4, 1978.

Re H.R. 6900, Oregon Trail bill.

THE SUBCOMMITTEE ON PARKS AND RECREATION,
Committee on Energy and Natural Resources, U.S. Senate, 3102 Dirksen Building, Washington, D.C.

Attention: Susan Fetchko.

DEAR HONORABLE SUBCOMMITTEE: I have recently learned of the status of the above-referenced bill and most earnestly urge your approval of it. There can be no doubting the importance of the Oregon Trail, the Santa Fe Trail, and the other such great trails to the successful development of the American West in the last century.

Unlike in Europe, the American past is very much physically present in the form of identifiable road cuts and landmarks that testify to the movement of our people to the Pacific, and the state of these reminders is still in the preservable stage. For reasons of culture, history, and recreation to the extent compatible with the preservation of these old trails, this bill must meet with success.

I write to you as a concerned individual whose work has no connection to the potential establishment of the national historic trails system. I belong to no organization which seeks to effect such a development, but out of personal interest I have

researched and traced the first wagon trail across the Colorado Rockies. In doing so I learned that history is a very living thing which can die when people who know a trail and its stories do themselves die. Preservation at all levels thus assumes great importance and I consider the present Congressional interest in this bill to be of the greatest significance.

The old trails are romantic, they are beaten into our earth, and they mark what we once were. Their loss would be irreplaceable, and their preservation for appreciation and enjoyment by all people, both American and foreign, would be of lasting benefit.

I therefore respectfully urge your support of this bill and I thank you for considering these comments.

Sincerely,

RICHARD L. FETTER.

CARIBOU COUNTY, IDAHO,
OFFICE OF CLERK, AUDITOR AND RECORDER,
Soda Springs, Idaho, May 2, 1978.

THE SUBCOMMITTEE ON PARKS AND RECREATION,
Committee on Energy and Natural Resources, U.S. Senate, 3102 Dirksen Building, Washington, D.C.

Attention: Susan Fetchko.

DEAR MS. FETCHKO: In response to a letter from Congressman James P. Johnson, I am expressing my interest in the Oregon Trail Bill H.R. 6900. A copy of my letter to him last October is enclosed.

I am enclosing maps (note date—county boundary changed later) marked from a copy sent to me by Dr. Merle Wells of the Idaho Historical Society. I don't know his source for his markings. He colored parts of it in red and green, but sent no legend. I'm assuming the red is where the Trail is still visible, and I have marked in blue the part he had in green. I'll have to question him further about that if you so desire.

On February 23, 1976 a Mrs. Farrell Rankin wrote the Mayor of Soda Springs for some slides of our area showing the Old Oregon Trail. They knew of my interest in history and sent the letter to me. Since I knew of no such slides readily available, nor did the City, I spent a fun summer taking some.

Mrs. Rankin's group was planning a National Convention "using a Diary of 1853 and slides." She would be a super person to contact inasmuch as I am assuming she accumulated slides of the entire Oregon Trail. The convention was held July 13–15, 1977. Her name is Mrs. Farrell (Calea H.) Rankin, address: Catching Creek Route, Box 29, Myrtle Point, Oregon 97458.

I am enclosing pictures of some of the slides I have. Unfortunately, I only have one set, not two more, to accompany the other two copies of this letter. I am sending copies of the pictures, however.

My interest is keen in having the Oregon Trail as part of the National Trails System.

Sincerely,

ELAINE S. JOHNSON,
Clerk of the District Court,
Ex-officio Auditor and Recorder and
Clerk of the Board of County Commissioners.

Enclosures.

Pictures—Caribou County, May 2, 1978	*Number*
Wagon ruts left showing on golf course	37–2
Same—just above the area in No. 37–2	37–3
Famous Steamboat Springs, usually just a few feet under the water of Alexander Reservoir which had been lowered for dam repair when pictures were taken	37–4, 39–1
Further west—Soda Point to the left. The short distance from the dark mountain to the left and the lower hills to the far right is the distance through which they all passed. I can see Soda Point from my kitchen window	38–15
Soda Point as it enters Bear River. Northernmost point of the Wasatch Range of Mountains	38–17
Mr. and Mrs. Roy Hatch, property owners, standing in their own Oregon Trail ruts	40–13
Several years ago, high schools sponsored a marking of the entire Trail (I assume it was entire). This is one of Caribou County just off the Hatch property	40–16
More ruts (center of picture) on Hatch property	40–17
Daughters of Utah Pioneers marker on Oregon Trail at location of church house (Church of Jesus Christ of Latter-day Saints) now a Museum	41–3
This Museum is located in the Chesterfield area	41–4
The Portneuf River (further south in the county than where the pioneers actually crossed)	41–17, 19
Oregon Trail near Chesterfield Reservoir with "Rocky Ford" to the left of the bushes showing near the base of the mountains. This is on Fort Hall Indian Reservation, then the Trail went over the hills, into Bannock County and to Fort Hall	41–50

CARIBOU COUNTY, IDAHO,
OFFICE OF CLERK, AUDITOR AND RECORDER,
Soda Springs, Idaho, October 19, 1977.

Representative JAMES P. JOHNSON,
Cannon Building, Washington, D.C.

DEAR REPRESENTATIVE JOHNSON: The enclosed copy of a May 15, 1977 article in the Idaho State Journal in Pocatello, Idaho, caught my eye. [Retained in committee files.]

The last few years have made me much more aware of the great heritage we have and the beautiful county in which I live.

I am on a local history kick, the likes of which you wouldn't believe. Time does not permit as much involvement as I would like, but I am slowly in the process of getting the older residents of the county on tape for an oral history of the county, and the possible compilation of them into a book. Part of my lack of time is because I am so thoroughly enjoying my work as Clerk of the District Court, ex-officio Auditor and Recorder and Clerk of the Board of County Commissioners for Caribou County in the great State of Idaho.

My request now is that you advise whether or not you were successful in getting the bill passed which was mentioned in the May article. A more recent article, copy enclosed, which appeared in the local paper, the Caribou County Sun of August 4th, would indicate it still is in the hopper. However, shortly thereafter, one of my employees stated she had heard that it likely would not pass inasmuch as there are great areas of the trail now under cultivation.

Also, would you please advise what possible preservation federal funds are available. There are those in the county interested in preserving some of the older buildings. I was at a workshop recently in Pocatello on the Preservation of Records, at which I met a lady from their Bannock County Historical Society who had just recently been in our area on a field trip. She mentioned she'd like to move over here as we had so much more of historical interest than they did. She was a darling woman, I wouldn't mind having her here at all.

Enclosed is half of our county map, which shows the area where part of the Oregon Trail was located. My feeling is that all the people traveling the Old Oregon Trail passed through an area not much wider than one mile, some of which is visible to me from my kitchen window. It surely is great and I'm most thankful to those who pioneered this country. From the information I have, map-wise available to me, I think I live right on the Old Oregon Trail.

A woman from Oregon recently corresponded with me regarding a national religious convention to be held in Oregon, and for some reason, there was an interest in

the Oregon Trail. She sent me part of an 1853 diary of a man who passed through this area. She was accumulating slides and other information along the route, taken by a certain group of people. I did have fun taking pictures and getting the slides for her (I also had a set made for myself) of the Oregon Trail, as it still shows in parts of Caribou County.

For those who like to golf, and for even those who do not, I think we have one of the most scenic golf courses in the country, located near a beautiful lake and overlooking the picturesque northernmost area of the Wasatch range of mountains. When they laid out the golf course, it covered an area through which the Oregon Trail went. Rather than improving and destroying the ruts, they just left them and planted the lawn over them, and they are still visible. One of my slides shows that rather well.

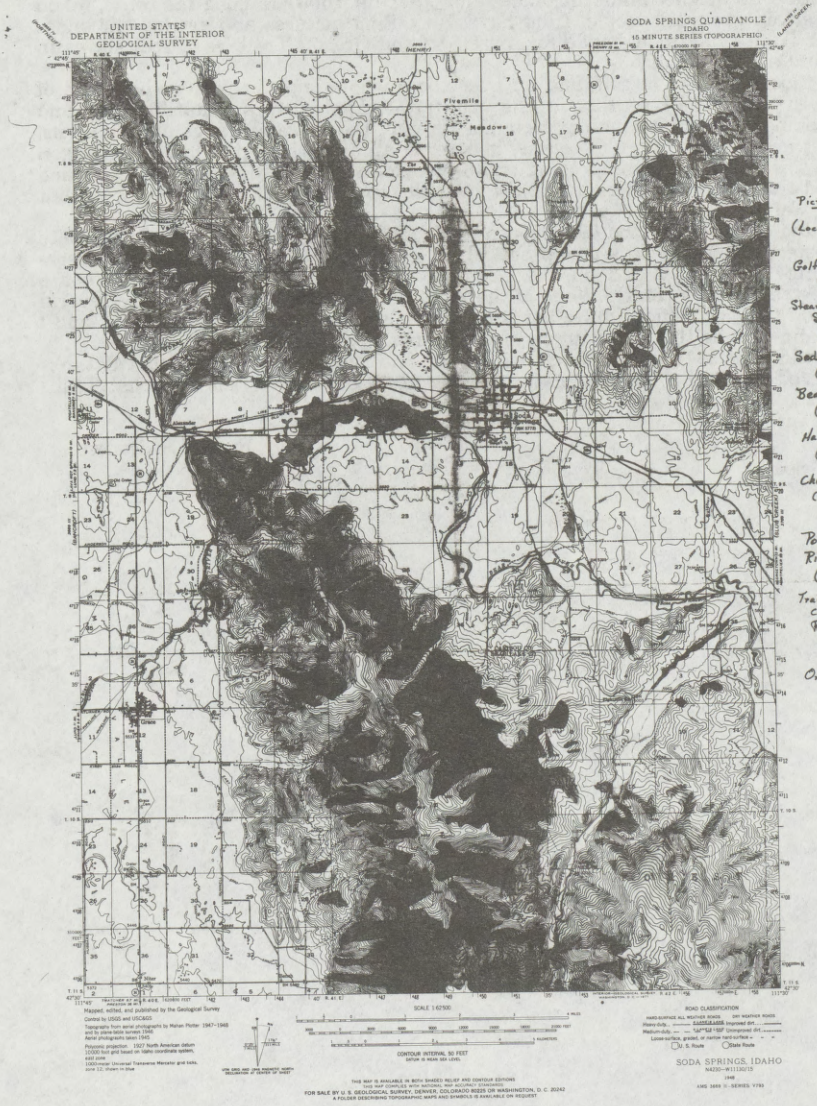
Located on and near the Old Oregon Trail in Caribou County is the old townsite of Chesterfield, Idaho. It is now practically a ghost town, and we are in the process of trying to get it placed on the National Register of Historic Places. We are working through Dr. Merle Wells of the Idaho Historical Society. There are several places on the trail which I have not personally visited, just in Caribou County, and I had planned to do that this summer, but summer's practically gone.

I would like to keep in touch with you, and hear from you as to what has transpired regarding the designation of the Oregon Trail on the National Trails System.

Sincerely,

ELAINE S. JOHNSON

Enclosed.



Pictures
(Location)

Golf Course (1)

Steamboat Springs (2)

Soda Point (3)

Bear River (4)

Hatch area (5)

Chesterfield (Museum) (6)

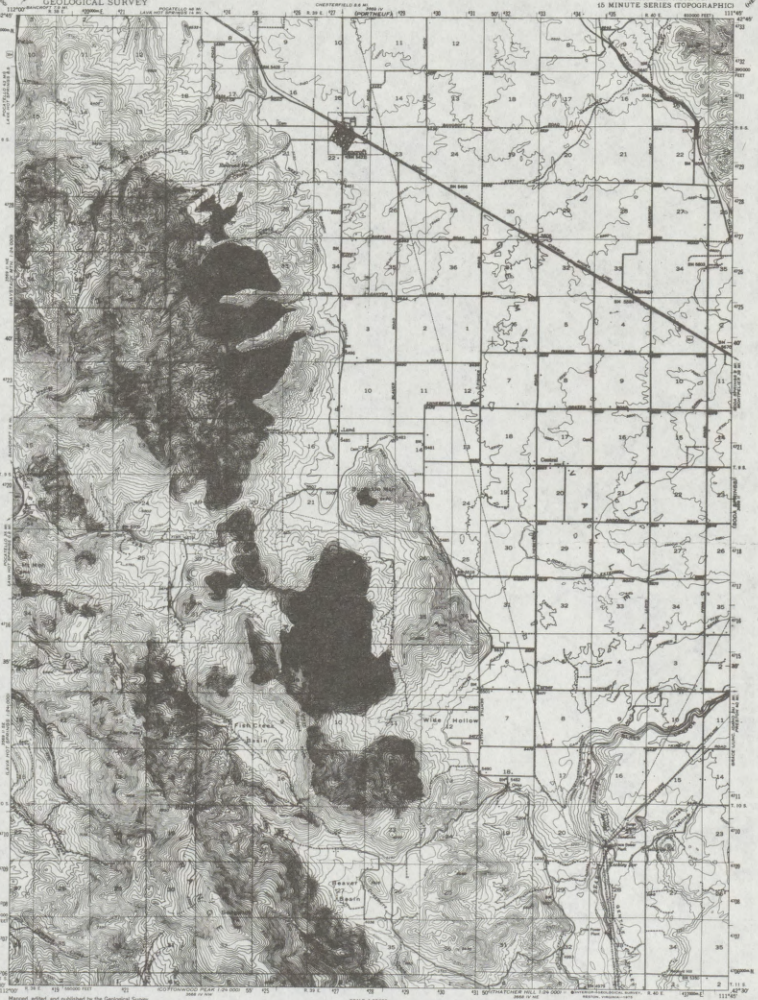
Portneuf River (7)

Trail - Chesterfield Reservoir (8)

On to Fort Hall (9)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

BANCROFT QUADRANGLE
IDAHO-BANNOCK CO.
15 MINUTE SERIES (TOPOGRAPHIC)



Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography from aerial photographs by Marion Plotter, 1947-1948
and by plane table surveys, 1946-1947
Aerial photographs taken 1945.
Projection: orthographic. 1927 North American datum
10,000-meter grid based on Idaho coordinate system, East zone
1000-meter Universal Transverse Mercator grid ticks, zone 13, shown in blue

SCALE 1:62500

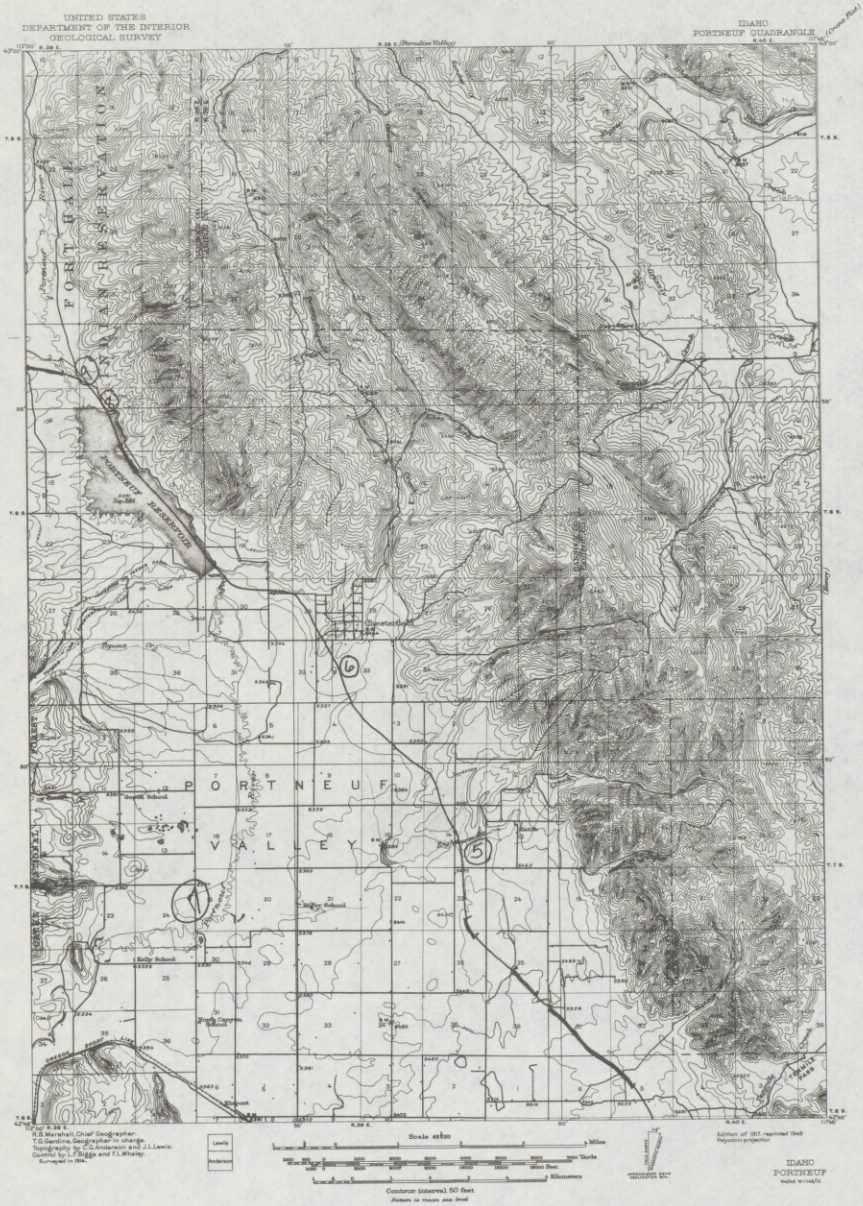
CONTOUR INTERVAL 50 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

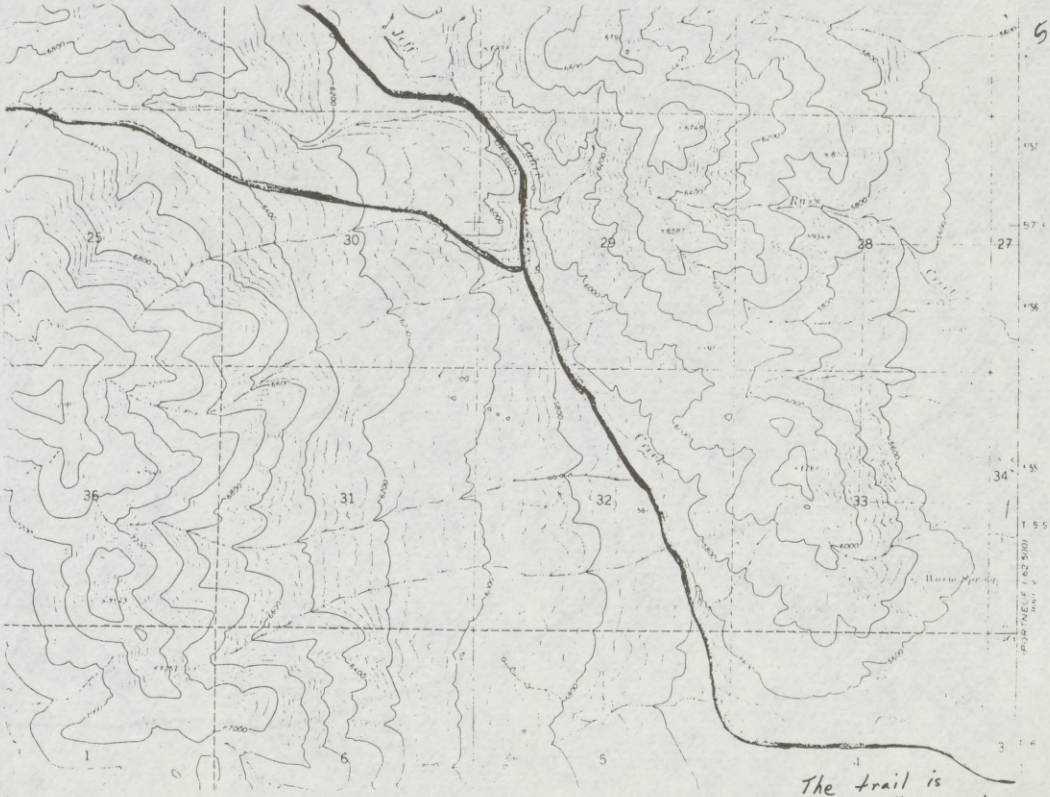
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

ROAD CLASSIFICATION
Heavy-duty — Light-duty
Medium-duty — Unimproved dirt
U.S. Route

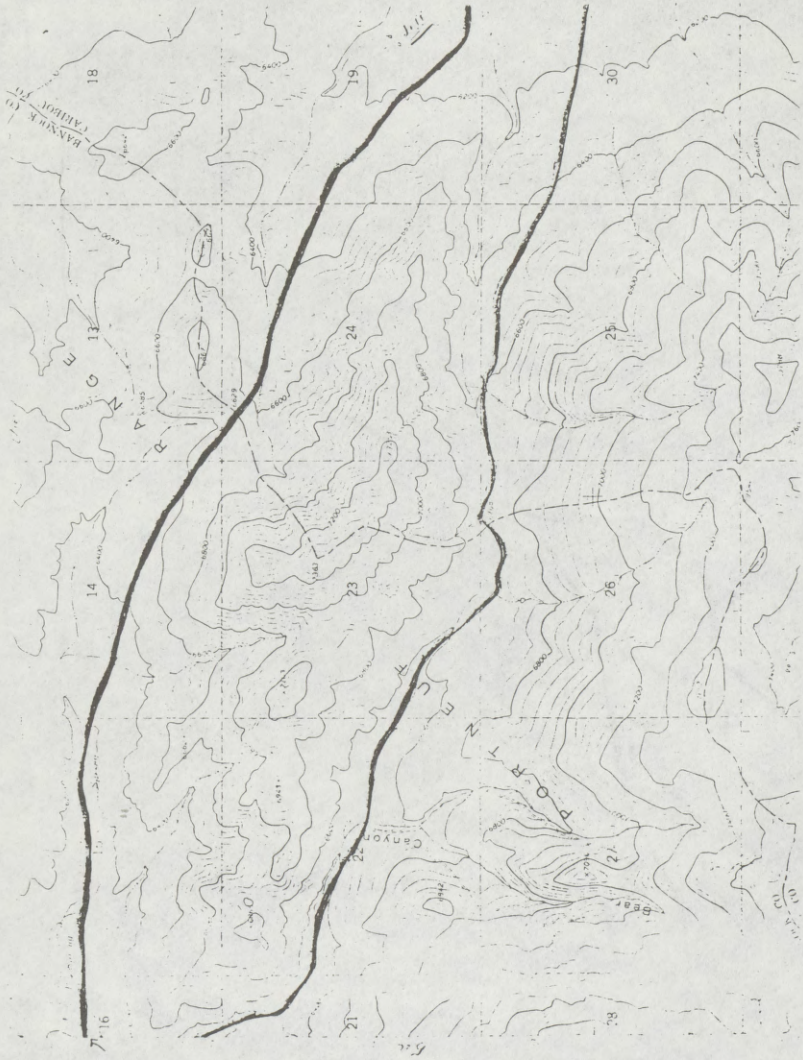
QUADRANGLE LOCATION

BANCROFT, IDAHO
N4230—W11545'15
1948
AMS 5669 III—SERIES V783


UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
IDAHO
PORTNEUF QUADRANGLE
FORT HALL INDIAN RESERVATION
PORTNEUF RESERVOIR
PORTNEUF
VALLEY
Chesterfield
Scale 1:62500
Contour interval 50 feet
Datum is mean sea level
Edition of 1917, reprinted 1948
Polyconic projection
IDAHO
PORTNEUF



The trail is marked all in red on this and the next page


BANNER
(ABBOT)
18
19
30
13
24
25
14
23
26
PORTER
Canyon
Bear
22
21
28
16

BACKPACKER MAGAZINE,
Bedford Hills, N.Y., May 1, 1978.

Hon. JAMES ABOUREZK,
Chairman, Subcommittee on Parks and Recreation, Dirkson Senate Office Building, Washington, D.C.

DEAR SENATOR ABOUREZK: I come before this body as the publisher of Backpacker magazine, which has a readership of 430,000 hikers and backpackers. Also as a founder of The American Hiking Society, and as an avid hiker and backpacker of some 40 years experience.

I would like to speak on behalf of S-2974, the Omnibus Historic Trails Bill. The trails that are designated under this bill are of great historic significance to our country. And they are important to the nation as a reminder of our great past. While I recognize that the historic trails are not necessarily the most scenic trails, they are important to our national heritage.

It would be a great benefit to the nation if the Senate would pass this bill into law. It would be even more important if the bill were funded with at least $5 million for acquisitions of portions necessary to complete these historic trails.

Respectfully,

WILLIAM KEMSLEY,
Publisher, Backpacker magazine.

P.S.—I would appreciate it if the above letter were entered as part of the hearings testimony.

APRIL 25, 1978.

THE SUBCOMMITTEE ON PARKS AND RECREATION,
Committee on Energy and Natural Resources, U.S. Senate, 3102 Dirksen Building, Washington, D.C. 20510.

Attention: Susan Fetchko.

This is in support of H.R. 6900 on proposed Historic Trails. Special interest is hereby submitted on the Historical "Old Oregon Trail" which I understand is included in H.R. 6900.

"The Old Oregon Trail" was established to provide a route for those pioneers to travel westward in search of a new life and security in land, gold and furs, and to develop a strange country that so few had little knowledge that, they would be a contributing factor in the development of this great nation.

This great migration commenced in the year of 1832 and is considered the largest migration in the history of man, probably between two and two and one half million people traveled this route in the following years.

The writer has photographed this old historical trail from the water landing spot at the old Wayne City landing in Independence, Missouri, where the long trek begun, through Kansas City, Missouri, (the old oxen market) Kansas, Nebraska, Wyoming, Idaho and ending in the Dalles, Oregon.

The photo project was completed in two years and most of the old trails are now preserved on film. There are many places that are almost impossible to find unless one has a driving desire to find out, the hardships those pioneers endured. Many of those that started the trip never lived to reach their destination, and the proof is on small markers left by friends and relatives.

The photographing of this project was made by auto, jeep, horseback and on foot to some of the almost impossible places that were connected with the trail. The show is taped with commentary.

It is of the writer's opinion that a great service would be accomplished by passing H.R. 6900 to commemorate those pioneers that made the sacrifice in the settlement of the west and to future generations in their quest for knowledge in the History of their country, and as a memorial to those emigrants.

Very truly yours,

T. R. CHURCH,
Independence, Mo.

29-864 O - 78 - 9

THE SUBCOMMITTEE ON PARKS AND RECREATION,
Committee on Energy and Natural Resources, U.S. Senate, 3102 Dirksen Building, Washington, D.C.

Attention: Susan Fetchko.

DEAR COMMITTEE MEMBERS: I have intensely supported the Oregon Trail Bill, H.R. 6900, which I understand is scheduled for consideration by your subcommittee very shortly.

The preservation of the Oregon Trail has been of keen interest to me all of my adult life, having visited and photographed many of the remaining segments from where it enters southeastern Nebraska to its terminus in Oregon. In my estimation, there are many sites which have high potential for preservation. However, it has saddened me on subsequent visits to a number of these sites to see the rapid deterioration or destruction presently occurring. Many are on private property, and the threat of extinction is prevalent almost daily.

The passage of this legislation is urged in the interest of preserving our national heritage and this great pioneer highway which was so instrumental in changing the course of the history of our great country.

If I can provide any specific information or be of help in progressing this vital legislation, please feel free to communicate with me further.

Sincerely yours,

DONALD S. GROVES
Lakewood, Colo.

IDAHO STATE HISTORICAL SOCIETY,
Boise, Idaho, April 28, 1978.

THE SUBCOMMITTEE ON PARKS AND RECREATION,
Committee on Energy and Natural Resources, U.S. Senate, 3102 Dirksen Building, Washington, D.C.

Attention: Susan Fetchko.

DEAR SIRS: I understand your subcommittee on Parks and Recreation is considering S 2659 (National Historic Trails), S 2663 (Oregon Trail), S 2664 (Lewis and Clark Trail), S 2705 (Mormon Trail) and HR 6900 (National Trails system and Oregon Trail) along with some other important trails proposals. These are of great importance in our part of the country, as well as for the national heritage generally. We have had considerable loss to what is left of the Oregon Trail in this vicinity in recent years, and prompt action is essential to reduce further loss of an irreplacable resource. I hope that favorable action upon these measure may be expedited.

Sincerely yours,

MERLE W. WELLS,
State Historic Preservation Officer.

UNIVERSITY OF MISSOURI—KANSAS CITY,
DEPARTMENT OF HISTORY,
Kansas City, Mo., April 28, 1978.

THE SUBCOMMITTEE ON PARKS AND RECREATION,
Committee on Energy and Natural Resources, U.S. Senate, 3102 Dirksen Building, Washington, D.C.

Attention: Susan Fetchko.

DEAR SIR: This is a letter supporting the Oregon Trail Bill, H.R. 6900, currently awaiting action in the Senate Committee on Energy and Natural Resources, as passed by the House of Representatives. I believe that the legislation is good and that it would aid in promoting an awareness of our national heritage. In the nineteenth century over 250,000 pioneers used the 1,900-mile-long wagon route. It is appropriate that the Oregon Trail be the first component of a new historic trails category.

Sincerely,

LAWRENCE H. LARSEN,
Professor of History.

SIGNPOST,
Lynnwood, Wash., April 17, 1978.

Hon. JAMES ABOUREZK,
Washington, D.C.

DEAR SENATOR ABOUREZK: I am very much interested in the trails bills for which the sub-committee on Parks and Recreation has tentatively scheduled a hearing on May 1st.

I am planning to appear before the sub-committee to offer testimony in favor of these bills.

As soon as the word can be gotten out to those citizens who have long worked for passage of these bills, I am sure you will be hearing from them, too.

Please keep me informed of any change in plans for this hearing.

LOUISE B. MARSHALL,
Editor, The Signpost News.

SOUTH DAKOTA DEPARTMENT OF EDUCATION AND CULTURAL AFFAIRS,
Pierre, S. Dak., April 25, 1978.

Hon. JAMES ABOUREZK,
Subcommittee on Parks and Recreation, Senate Office Building, Washington, D.C.

DEAR SENATOR ABOUREZK: It is my understanding that you are chairing the subcommittee on Parks and Recreation which will be considering Senate Bills S2659 and S2664 sometime early in May.

As director of the South Dakota State Historical Society and as South Dakota's representative on the Lewis and Clark Trail Heritage Foundation, Inc., I am writing to ask your support of these two bills.

I have long been an advocate and an admirer of the Lewis and Clark Expedition which had so much to do with the exploration of the west following the Louisiana Purchase. For several years I served on the Federal Lewis and Clark Trail Commission when several government agencies were involved in the study and development of the trail. The records and research collected by these agencies have greatly enhanced the general knowledge of those few brave men who "poled and cordelled" their way up the Missouri River into the unknown. The record they left has been unparalleled and has been a stimulus to American youth in the study of this nation.

As you know, the expedition spent a great deal of time in what is presently South Dakota—fifty-three days going upriver and fourteen on their return trip—and many significant events took place within the confines of the present state boundaries. A detailed account of experiences here is enclosed for your information.

It is fitting that the Lewis and Clark National Historic Trail be designated as a part of the National Historic Trails Act and I hope you will give this designation your support when acting on these bills.

Sincerely,

DAYTON W. CANADAY, *Director.*

NATIONAL COUNCIL OF STATE GARDEN CLUBS, INC.,
Germantown, Tenn., May 24, 1978.

Hon. JAMES ABOUREZK,
Chairman, Subcommittee on Parks and Recreation, Dirksen Building, Washington, D.C.

DEAR SENATOR ABOUREZK: I have been advised that your committee is holding hearings on Bill S2974 calling for the establishment of a Historic Trails Category within the National Trails System. I heartily endorse the passage of this bill.

The National Council of State Garden Clubs, Inc. have long been interested in the development of our national historic trails and one of our major Bicentennial projects was the development of the Historic Trails of our country and the establishment of a new category of Historic Trails in our National Trails System.

There is a tremendous need for this new category because under our present system many of our finest trails cannot be included under the National Trails System. The need is very well stated in S2974 and we would be very grateful for your efforts in the passage of this bill.

Yours truly,

BETTY MILLAR, *Historic Trails Committee.*

THE AMERICAN HIKING SOCIETY,
Boulder, Colo., May 8, 1978.

Hon. FRANK CHURCH,
Subcommittee on Parks and Recreation, Senate Office Building, Washington, D.C.

DEAR SENATOR CHURCH: I am extremely pleased that the Sub-Committee on Parks and Recreation has set aside time for a public hearing on bills S2659, 2660, 2661, 2662, 2663, 2664 and 2705.

While we had a representative at these hearings, I want to go on record as favoring the passage of these bills.

Sincerely yours,

JAMES A. KERN, *President.*

NATIONAL CATTLEMEN'S ASSOCIATION,
Denver, Colo., May 5, 1978.

Hon. JAMES ABOUREZK,
Chairman, Subcommittee on Parks and Recreation, Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C.

DEAR SENATOR ABOUREZK: Enclosed is a statement on bill H.R. 6900, concerning the Oregon National Historic Trail.

It would be appreciated if this statement could be inserted into the subcommittee's respective hearing on May 1.

Thank you for your attention to this matter.

Sincerely

RONALD A. MICHIELI,
Director, Government Affairs,
Land and Natural Resources.

Enclosure.

JOINT STATEMENT OF THE NATIONAL CATTLEMEN'S ASSOCIATION, PUBLIC LANDS COUNCIL, AND NATIONAL WOOL GROWERS ASSOCIATION

Mr. Chairman, my name is Ronald A. Michieli, Director of Government Affairs for Land and Natural Resources for the National Cattlemen's Association and Executive Director of the Public Lands Council. I wish to present the joint comments of the National Cattlemen's Association, the Public Lands Council and the National Wool Growers Association on bill H.R. 6900 and, in particular, on a provision in that bill which we strongly oppose.

NCA represents all segments of the nation's beef cattle industry including breeders, producers, and feeders. It represents approximately 280,000 professional cattlemen and its membership includes individual members as well as 51 affiliated state cattle associations and 13 affiliated national breed organizations.

The Public Lands Council is an organization of Western livestock public land users and the NWGA represents approximately 90,000 sheep and lamb producers in the United States.

We do not oppose the designation of the Oregon National Historic Trail and Travelway as a unit of the National Trails System. We are opposed, however, to a provision which was added to bill H.R. 6900 which would remove the prohibition in existing law of using condemnation authority to acquire land for the Pacific Crest Trail.

We think that provision is precedent setting, unnecessary, unwise and may even delay completion of the Pacific Crest Trail.

Until recently, the Pacific Crest Trail traversed 447 miles of privately-owned land. To date, all but 51 miles of that 447 miles have been resolved through existing authorities. There is no reason to believe that the 51 miles cannot be similarily taken care of without resorting to the use of eminent domain procedures.

There are other methods that can be used to complete a national trail and these methods have been highly successful so far in regard to the Pacific Crest Trail.

Of the 447 miles of privately-owned lands in the route of the Pacific Crest Trail, 231 miles were purchased from the owners through the willing-buyer, willing-seller procedure. Ninety six of the 231 miles were purchased expressly for Pacific Crest Trail and 135 miles were purchased primarily for other purposes with the Trail a secondary interest in the acquisition. Forty four miles of the Trail route are protected through cooperative agreements with the land-owners. One hundred and nine miles traverse land which was secured for other public needs by use of condemnation. Passage over 12 miles of private land was avoided by relocation of the Trail.

This leaves, as I stated, 51 miles to be acquired or otherwise resolved.

We oppose the further establishment or extension of the National Trails System other than in established Parks, Monuments, or Wilderness Areas, or where landowners actively support the system by voluntary grants of rights of way. We particularly oppose the use of eminent domain for furtherance of the National Trails System.

We believe that there is a tendency for public bodies to abuse the eminent domain power and to exercise it without regard for the economic welfare of the agricultural community. Often little attention is given to property taxes, section lines, agricultural needs, or future agricultural development. Often in these proceedings the individual landowner is given little chance to have a say in determining where a condemnation or easement would be best located.

We do not think that the use of the eminent domain authority to acquire land for a national trail results in the private landowners being adequately compensated for their expenses and losses which include not only immediate damages but restriction of future use and development.

The Pacific Crest Trail will bring large numbers of people into remote areas where there is little law enforcement or other social services. Livestock production in these areas is a recognized economic activity which is supportive of local and State governments.

When a relatively narrow strip of land cuts across a private landowner's property, a number of problems and expenses are created. The Federal Government, for example, assumes no liability for injuries suffered off the trail. The Federal Government does not pay for the clean-up of the inevitable litter which spills over on private land. No compensation is given by the government for theft of—or damage to—private property.

Other problems occur when people trespass private land to reach a trail. A corridor through the middle of a range or farm also causes management problems and other hardships.

Fencing of the trail is not a solution. In some cases this might ameliorate some problems but fencing also creates additional problems. Fencing, for example, would disrupt grazing patterns of wildlife and livestock. Fencing of a corridor also would be expensive.

We believe that these problems can be best considered and dealt with in a situation in which the threat of condemnation does not distort the issues and inflame antagonisms.

I believe this committee will agree that other methods of securing land for a national trail are far superior and preferable to the use of the eminent domain power.

If condemnation authority is authorized for the Pacific Crest Trail then Federal and State officials will be less encouraged to pursue alternative means of securing protection for the trail.

I urge that the Pacific Crest Trail condemnation authority provision not be included in any legislation reported by this committee. Every effort should be given to the use of other means to secure or protect the remaining 51 miles presently in private hands on the route of the 2,500 mile Pacific Crest Trail.

LEWIS AND CLARK TRAIL NEWSLETTER

Published by
G. EDWARD (GUS) BUDDE
3745 Yaeger Road
St. Louis, Missouri (63129)

May 16, 1978

Hon. James O. Abourezk
Senate Office Building
Washington, D. C. 20510

Dear Senator:

Being retired from the National Park Service and interested in our early American history, I am taking the liberty of passing on this message along with some enclosures, which more or less are self-explanatory. I also did "special assignment duties" for the Bureau of Indian Affairs, the BLM, etc.

For over 30 years, my historical interest has been the famed Lewis and Clark Expedition.

I'm also a former news correspondent for daily newspapers and still write for several on a part-time basis. Regularly, I receive numerous legislative reports, bulletins, news releases, etc.

Recently, in one of the many legislative reports, I received from Washington a brief report of three of your Bills. Namely; S. 2592; S.2659 and S.2660. I will request my contacts in Washington to keep me advised as to the progress of your Bills. I will publish these Bills along with a couple of other similar Bills in the next issue of my Lewis and Clark Trail Newsletter.

I'm also taking the liberty to mention one of the important historic sites in South Dakota directly related to the Lewis and Clark Expedition. (See enclosures)

I refer to the small town of "Elk Point" (Union County) For several years, I have been trying to interest some of the local folks to pursue and have Elk Point become a "Registered" National Historic Site. Seems they are somewhat reluctant to take advantage of the simple procedures. I would appreciate and welcome your comments and counsel. Thank you.

All good wishes to you and yours.

Sincerely,

encls.

G. Edward Budde

G. Edward (Gus) Budde

~~P. S. I have some good friends in Rapid City, the "Dubamle" Families.~~

THEIRS TO DISCOVER—OURS TO ENJOY

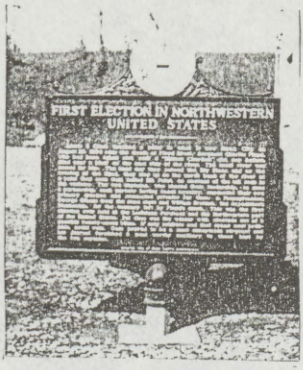
SOUTH DAKOTA

FIRST ELECTION SITE IN NORTHWESTERN UNITED STATES

The Lewis and Clark Expedition reached a point in what is now Sioux City Iowa on August 20, 1804 near the mouth of the Floyd River. Sergeant Charles Floyd, who had been teken sick with a "biliose Chorlick" the day before, died near a bluff on the east side of the River. The small river was named for him. The next day they passed the Big Sioux River and on the evening of the 22nd they tied up on the north bank of the Missouri River at a point they even then called Elk Point, on account of the elk seen in the vicinity The two Captains, who shared their leadership, as does a partnership, each partner having exact equaility, conducted their own primary election and nominated Patrick Gass, a Pennsylvanian; George Gibson from the same state and William Bratton, the Expedition's blacksmith, for the vacancy left by Sgt. Floyd's death. This was the first election ever held in the Louisiana Purchase and the northwestern part of the United States. Patrick Gass was the winner with nineteen votes out of a possible twenty-seven, if only soldiers and that seems most probable, could vote. Patrick Gass proved to be a most acceptable Sergeant, and his Journal furnished a most worthy auxiliary to those kept by the two Captains.

Historic Markers with above wording erected by:

Union County Commissioners, Elk Point, South Dakota.



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MONTANA

JOHN C. AUSTIN, of Hamilton, a historian and civic leader has been named, Chairman of the Ravalli County Bicentennial Committee. Austin is active in Lewis and Clark programs in the Bitter Root Valley.

LEWIS AND CLARK TRAIL NEWSLETTER

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G. EDWARD (GUS) BUDDE
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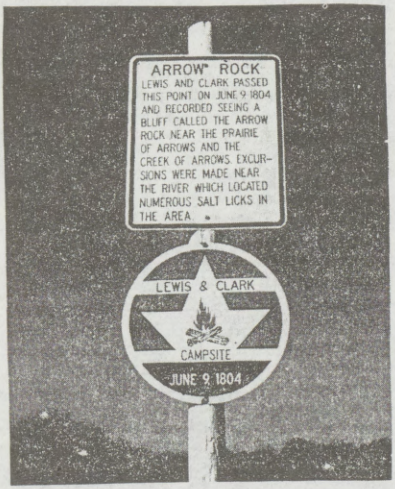
Volume 1 - No. 3
Spring - April, 1974

CHIPS FROM THE TRAIL

MISSOURI:

Historic Arrow Rock, Saline County.



Photo, courtesy, Mrs. Henry W. Hamilton, Chairman, Saline County Lewis and Clark Chapter.

One of the campsite markers along the Missouri River. Fifty-four campsites were used by the Lewis and Clark Expedition on their journey westward across the state of Missouri.

Historic Arrow Rock (now at State Park) is open to the public each summer beginning on June 15 from 10:00 A.M., to 6:00 P.M. Friends of Arrow Rock, Inc sponsor tours on historic homes in the area.

THEIRS TO DISCOVER—OURS TO ENJOY

Vol 1.

SOUTH DAKOTA:

SPIRIT MOUND

The Indians who roamed up and down the Missouri River near where South Dakota, Nebraska and Iowa now join, were scared of a conical hill that rose out of the prairie, north of Vermillion, in Clay County, South Dakota. The hill was "Spirit Mound".

This was in 1804. The "Mahas, Soues and Ottoes" said Captain William Clark, of the Lewis and Clark Expedition, could not be persuaded to approach this mound. They called it the Mountain of Little People)(Spirits)

Lewis and Clark, when they came up the Missouri River in 1804, had heard about the mound from the Indians, and they probably remembered what Charles LeRaye, a French trader, who had visited the place two years earlier, reported: the Indians didn't want any part of it.

On August 25, 1804, a hot day, Captain Lewis and Clark with a party of ten, left their boat at the mouth of the "Whitestone River" climbed the bluff that runs along there, walked four miles, crossed the river, and continued several miles more. After going that far they had to send their dog, Scannon, a big black Newfoundland, back to the river with one of the men, because the dog couln't stand the heat.

Nobody knows how hot it was that day in South Dakota, as the Captai didn't leave any record of weather between May 14 and September 19,eithe in their usual daily temperature record or in their comments - not in the main journals.

Lewis, himself, wasn't in good shape August 25. Three days before h had been tasting, burning and sniffing the fumes from some minerals (al copperas and cobalt) which he had found in the Missouri River bluffs, and discovered they were "verry pisen". He took a dost of salts to work off the effects of the arsenic". Consequently he didn't enjoy the hike Spirit Mound.

The Whitestone River of the journals is the Vermillion River of the present day. Whitestone is a translation from the Indian "Wassisha". Th river has no white stones of note, so the translation leaves something to be desired.

The only thing remarkable about Spirit Mound, according to Clark w that it seemed to be the only hill around, separated from all other si lar formations by quite a distance. The party didn't find any small de

Con'd - Page 3

SPIRIT MOUND (Located six miles northeast of Vermillion, South Dakota

SPIRIT MOUND,

with sharp arrows, but they had a remarkable view from the top. They saw a beautiful landscape, very little timber, some grazing buffalo herds.

Spirit Mound proved to be roughly a parallelogram, its longest side about 300 yards, the shorter 60 or 70. It rose to a height of about 65 or 70 feet, had a flat top about90 feet long.

At first the men thought the mound might be artificial, then decided it was a natural eminence. There were some small holes scattered around the top, some insects flying around, and some rather tame birds catching the insects. (Flocks of birds gathering there might have given the Indians indication of the presence of spirits).

The day was so hot that the party headed back for the nearest water which they found three miles away. On the river bottoms they gathered some plums and currents, reaching their boat about sunset.

Spirit Mound is just off Highway 19, north of Vermillion about six miles, in Section 14 of Spirit Mound Township. There was a Spirit Mound Methodist Church there nearby until 1912, a Spirit Mound Baptist Church until 1919, a Spirit Mound School there until 1966, a Spirit Mound Cemetery and a Spirit Mound Township Hall (once a church building). All are helping to perpetuate the name of the cone-shaped hill on the prairie.

Captain Meriwether Lewis, in particular, having a scientific bent, might have been interested to know tha the mound has a central core of chalk, according to geologists - mostly fossil shells from an ancient sea, and that the shape of the mound was determined by the last glacier, which left glacial debris there.

(The above article by HAROLD P. HOWARD, Stickney, South Dakota)

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MONTANA:

Helena: Two original letters, one signed by William Clark and the other by Meriwether Lewis are on display in the Montana Historical Society Museum in Helena, Montana.

The two hand-written signed letters from the famous Northwest explorers are in excellent condition and are extremely rare. Clark's, written from St. Louis on May 3, 1814 to Williams Simmons of the War Department, is a cover letter for accounts and vouchers of payment for construction of four armed boats which Clark had built to be used in defense of the Missouri River. He was at the time serving as the first Governor of the Territory of Missouri. He had been appointed in July, 1813.

Lewis' letter was written from Vincennes, Illinois on October 30, 1806 to General Henry Dearborn, Secretary of War, requesting payment for supplies used on the Lewis and Clark Expedition of 1804-1806. Lewis arrived home from the journey in September, 1806.

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SPECIAL NOTICE: A technical documented and illustrated paper, titled, "THE ENIGMATIC LEWIS AND CLARK EXPEDITION AIR GUN". authored by, Dr. Roy M. Chatters, S. W. 240 Blaine, Pullman, Washington (99163) is available. (Price $2.00)

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MONTANA: cont'd from Page 3.

The Montana Bicentennial Commission will soon issue a limited numb of special commemorative envelopes which will have a sketch of Fort Be (founded in 1846) and bearing a current Bicentennial stamp and a rare and Clark three-cent stamp issued many years ago. Stamp and commemorat envelopes collectors will have the opportunity to purchase the special designed envelope which will also have the Montana logo design in thre colors. The distinctive envelopes will be sold for $1.00 and are avail from the Montana Bicentennial Commission office, Montana Historical Mu Building, Helena, Montana (59601)

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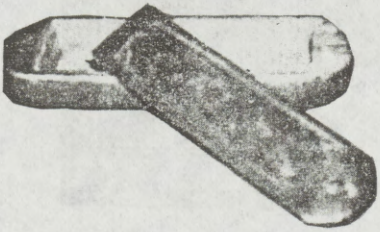
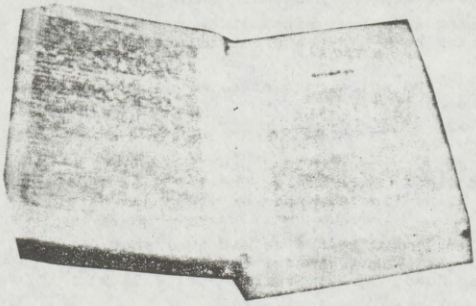
IDAHO:



Razor box carved from wood by Sacajawea during the winter at Fort ~~Benton~~ MANDAN and given to Patrick Gass

Hatchet - carried by Sgt. Patrick Gass.



Journal and travels of Sgt

Water flask - owned by Sgt. Patrick Gass

IDAHO: (Cont'd from Page 4

The artifacts and relics of Sgt. Patrick Gass (illustrated on Page 4) are owned by his great-grandson, Owen P. Buxton of Idaho. They are kept in a safe deposit box.

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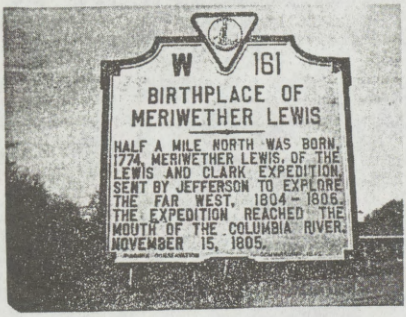
VIRGINIA:



Historic markers at birthplace of Meriwether Lewis. The markers are a few miles west of Charlottesville, Virginia.

(Photos, courtesy of, Dr. Donald Jackson, Charlottesville, Virginia)

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U. S. AGENCY, THREE STATES TO RESTORE HISTORIC TRAIL

Three states, Tennessee, Alabama and Mississippi in cooperation with the U. S. Department of the Interior have begun a program for the restoration of the Natchez Trace.

It was on the Natchez Trace in 1809 while Meriwether Lewis was traveling to Washington, that he met his death.

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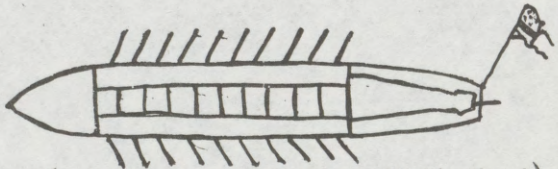
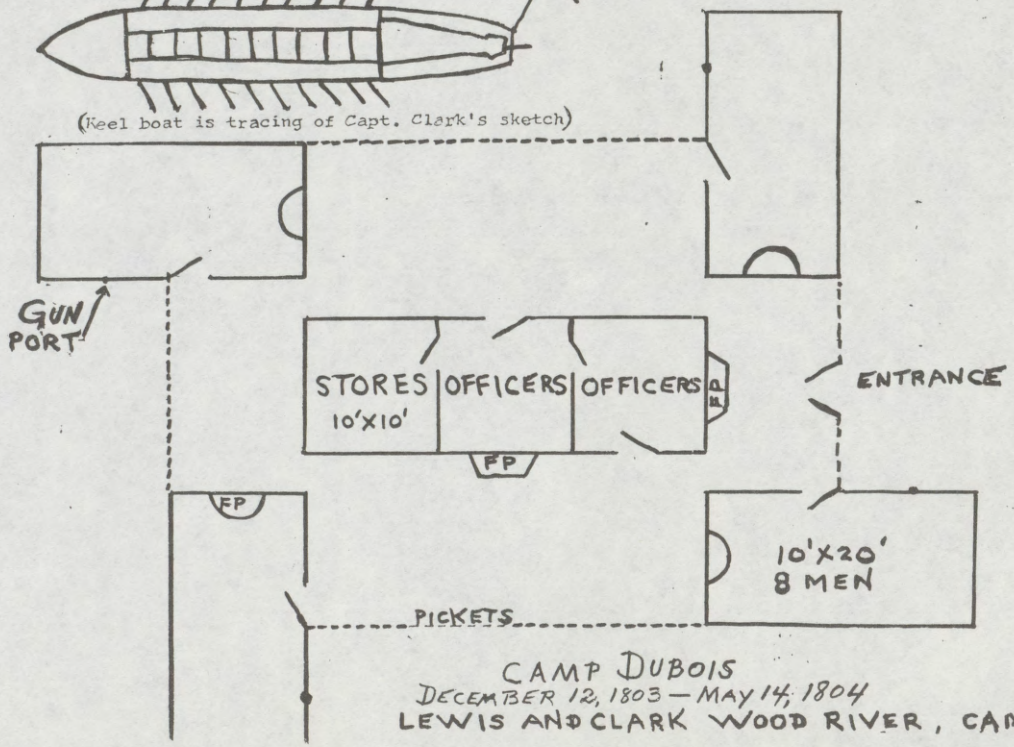
NOTE....Historic news, developments, photographs and news articles related to the Lewis and Clark Trail are welcome. Please send your news items or news clips (include name of press and date of news clip to:

G. Edward (Gus) Budde, Editor and Publisher
Lewis and Clark Trail Newsletter
3745 Yaeger Road, St. Louis, Missouri (63129)

(A Newsletter can aid in stimulating new interest)



(Keel boat is tracing of Capt. Clark's sketch)



CAMP DUBOIS
DECEMBER 12, 1803 — MAY 14, 1804
LEWIS AND CLARK WOOD RIVER, CAMP