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SENATE

{ REPORT
104-374

GREAT WESTERN SCENIC TRAIL

SEPTEMBER 30, 1996.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 531]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 531) to designate the Great Western Scenic Trail as a study trail under the National Trails System Act, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 531 is to direct the Secretary of Agriculture to work in consultation with the Secretary of the Interior in order to study the Great Western Scenic Trail for potential inclusion in the National Trails System.

BACKGROUND AND NEED

The Great Western Trail is envisioned as a north/south trail system extending from Canada to Mexico. The proposed route would take advantage of many existing trails, roads and public lands throughout the Rocky Mountain area, including lands managed by the National Park Service, National Forest Service and Bureau of Land Management.

The proposed route from north to south would run through the Idaho Panhandle, Clearwater and Nez Perce National Forests, then east between the Selway Bitterroot and Frank Church River of No Return Wilderness Areas. Once at the Idaho/Montana border, the trail corridor would extend south along the alignment of the existing Continental Divide National Scenic Trail to the Trail Pass (Salmon and Beaverhead National Forests). The route would then continue south through the Targhee National Forest past the west

side of Yellowstone National Park to Palisades Reservoir, where it would split into two routes which would merge at the Utah border.

At the Utah border the trail corridor would continue south-east of Logan, Salt Lake City, Provo, Nephi and several smaller communities along the Wasatch Front, extending into southern Utah (Wasatch/Cache, Uinta, Manti, Fishlake and Dixie National Forests). At the southern Utah border, the trail corridor would extend through Arizona completing the link to the border of Mexico. This section of the corridor would follow a proposed motorized trail route and would be known as the El Camino Grande section of the Great Western Trail. This section would extend south and east through Arizona, crossing the Colorado River upstream of Grand Canyon National Park and head south passing Flagstaff, Phoenix and Tucson, finally reaching the border of Mexico (Kaibab, Coconino, Tonto and Coronado National Forests).

The Great Western Trail is envisioned as a “multiple use” trail that would accommodate nearly all methods of recreational trail use including hiking, biking, skiing, horses, boating, four wheel and off road vehicles. This is reaffirmed in the proposed legislation by requiring the Secretary of Agriculture to examine the appropriateness of motorized and non-motorized uses along the trail.

LEGISLATIVE HISTORY

H.R. 531 was introduced on January 17, 1995, by Representatives Hansen, Orton and Wallace. The bill was reported as amended by the House Committee on Resources (H.Rep. 104–57). The bill passed the House as amended on March 14, 1995, (400–15) and was referred to the Senate Energy and Natural Resources Committee on March 15, 1995. Reports from the Secretaries of Agriculture and Interior, and the Office of Management and Budget were requested on March 24, 1995. A hearing was held on H.R. 531 on May 16, 1996.

H.R. 531 is identical to S. 621, which was introduced on March 24, 1996 by Senators Bennett, Campbell, Brown, Jeffords, Stevens and Hatch. The Subcommittee on Parks, Historic Preservation and Recreation held a hearing on the bill on May 16, 1996. Similar legislation, S. 1652, was introduced by Senator Bennett and cosponsored by Senator Hatch during the 103d Congress. The Subcommittee on Public Lands held a hearing on S. 1652 on May 19, 1996 (S. Hrg. 103–755). No further action was taken on the bill.

At the business meeting on September 12, 1996, the Committee on Energy and Natural Resources ordered H.R. 531 favorably reported.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 12, 1996, by a unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 531.

SECTION-BY-SECTION ANALYSIS

Section 1 amends the National Trails Systems Act by authorizing a study of the Great Western Scenic Trail, which is described as a system of trails accommodating a variety of travel users in a cor-

ridor approximately 3,100 miles in length extending from the Arizona-New Mexico border to the Idaho-Montana-Canada border, and following the approximate route depicted on a map titled "Great Western Corridor, 1988." The Act directs that the map be available for public inspection.

Section 1 directs that a trail study be conducted by the Secretary of Agriculture, in consultation with the Secretary of the Interior, and directs that the study include: (A) the current status of land ownership and potential land use along the route; (B) the estimated cost of land acquisition; (C) an examination of the appropriateness of motorized use along the trail.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 18, 1996.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 531, an act to designate the Great Western Scenic Trail as a study trail under the National Trails System Act, and for other purposes, as reported by the Senate Committee on Energy and Natural Resources on September 16, 1996. CBO estimates that implementing this legislation would cost about \$300,000 over fiscal years 1997 and 1998, assuming appropriation of the necessary amounts. Enacting H.R. 531 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 531 would amend the National Trails System Act to designate the Great Western Trail as a potential addition to the National Trails System. This act would require that the Secretary of Agriculture, in consultation with the Department of the Interior, conduct a study of various issues concerning the trail. Based on information provided by the Forest Service, CBO estimates that the study would cost about \$300,000, assuming appropriation of the necessary funds, and would take two years to complete.

H.R. 531 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would have no impact on the budgets of state, local, or tribal governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Victoria V. Heid.

Sincerely,

JUNE E. O'NEILL, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 531. The bill is not a regulatory measure in the sense of im-

posing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 531, as ordered reported.

EXECUTIVE COMMUNICATIONS

On September 13, 1996, the Committee on Energy and Natural Resources requested legislative reports from the Department of Agriculture, the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on H.R. 531. These reports had not been received at the time the report on H.R. 531 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Department of Agriculture at the Subcommittee hearing follows:

STATEMENT OF GRAY F. REYNOLDS, DEPUTY CHIEF, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the subcommittee: We appreciate the opportunity to provide the views of the Department of Agriculture regarding legislation for the Great Western Trail and the National Discovery Trails Act. I am accompanied by Brent Botts, Trails Program Manager here in the Washington Office.

S. 621 AND H.R. 531, GREAT WESTERN TRAIL

S. 621 and H.R. 531 would amend the National Trails System Act to designate the Great Western Trail as a study trail for potential addition to the National Trails System.

The Department of Agriculture supports enactment of S. 621 and H.R. 531.

The Forest Service testified on H.R. 531 before the House Resources Committee, Subcommittee on National Parks, Forests and Lands, in January 1995 and recommended certain amendments that would make the bill favorable and less costly for the Administration. These amendments were included in the bill as reported by the House Resources Committee on February 27, 1995, and were also included in S. 621.

The Great Western Trail would begin at the Arizona-Mexico border and extends north approximately 3,100 miles to the Idaho-Montana-Canada border. The trail corridor, which also crosses Utah and Wyoming, would extend through the heart of the Intermountain West, some of the world's most spectacular scenery. This trail would be located primarily on public lands, crossing 18 National Forests and public domain lands administered by the Bureau of Land Management. Certain segments of the trail would

also cross two National Parks, and State and county lands in Wyoming, Utah, and Idaho.

Section 5(b) of the National Trails System Act (Public Law 90-543) provides that the study of a trail shall be finalized and submitted to Congress within 3 complete fiscal years from the date of designation of the trail for study. Assuming the appropriation of funds for that purpose, we estimate that the proposed study would cost approximately \$300,000 and take 2 full fiscal years to complete. As indicated in S. 621, among other things, the study will include the current status of land ownership and potential use along the designated route, the estimated cost of acquisition of lands or interests in lands, if any, and examination of the appropriateness of motorized trail use along the Great Western Trail.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill H.R. 531, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matters is printed in italic, existing law in which no change is proposed is shown in roman):

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end of the following new paragraph:

(38) The Great Western Scenic Trail, a system of trails to accommodate a wide variety of travel users in a corridor of approximately 3,100 miles in length extending from the Arizona-New Mexico border to the Idaho-Montana-Canada border, following the approximate route depicted on the map identified as "Great Western Trail Corridor, 1988", which shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture. The trail study shall be conducted by the Secretary of Agriculture, in consultation with the Secretary of the Interior, in accordance with subsection (b) and shall include—

(A) the current status of land ownership and current and potential use along the designated route;

(B) the estimated cost of acquisition of lands or interests in lands, if any; and

(C) an examination of the appropriateness of motorized trail use along the trail.