CHILKOOT NATIONAL HISTORIC TRAIL

FEBRUARY 28, 2022.—Ordered to be printed

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

REPORT

[To accompany S. 1354]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1354), to amend the National Trails System Act to designate the Chilkoot National Historic Trail and to provide for a study of the Alaska Long Trail, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

The amendments are as follows:

On page 2, lines 3 through 5, strike “a traditional gold rush route of approximately 16.5 miles within the Klondike Gold Rush National Historical Park” and insert “an approximately 16.5-mile route within the Klondike Gold Rush National Historical Park that was traditionally used as a trading route by the Tlingit Indian Tribe and Tagish First Nation and as a gold rush route”.

On page 4, line 9, insert “, including evaluating the potential impacts of the trail on rights-of-way, existing rights, or other recreational uses of the land proposed to be used for the trail” after “subparagraph (A)”.

PURPOSE

The purpose of S. 1354 is to amend the National Trails System Act to designate the Chilkoot National Historic Trail in Alaska and to provide for a study of the Alaska Long Trail.
BACKGROUND AND NEED

National Historic Trails recognize original trails or routes of travel of national historic significance, including past routes of exploration, migration, and military action. National Historic Trails and National Scenic Trails are authorized pursuant to the National Trails System Act of 1968 (16 U.S.C. 1241 et seq.).

The Chilkoot Trail is a 33-mile recreational trail connecting Dyea, Alaska, to Bennett, British Columbia. This trail once served as a Tlingit trading route and a gold rush route from 1897 to 1898 during the Klondike Gold Rush. S. 1354 would designate the Alaska section as a National Historic Trail.

The Alaska Long Trail is a proposed 500-mile route connecting Seward to Fairbanks. Many sections of the proposed trail already exist or are currently planned, and the route is almost entirely on public land. S. 1354 would amend the National Trails System Act (16 U.S.C. 1244(c)) to authorize the Secretary of the Interior, acting through the Director of the Bureau of Land Management, to conduct a study of the feasibility of designating the Alaska Long Trail as a National Scenic Trail. National Scenic Trails are continuous, extended routes of outdoor recreation within protected corridors.

LEGISLATIVE HISTORY


COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on November 18, 2021, by a majority voice vote of a quorum present, recommends that the Senate pass S. 1354, if amended as described herein.

COMMITTEE AMENDMENTS

During its consideration of S. 1354, the Committee adopted two clarifying amendments to the bill. The first amendment changes the description of the Chilkoot National Historic Trail in subparagraph (A) to include the fact that it was used as a trading route by the Tlingit Indian Tribe and Tagish First Nation in addition to being a gold rush route. The second amendment requires the Secretary to consider impacts on rights-of-way, existing rights, or other recreational uses of the land when conducting the feasibility study for the Alaska Long Trail.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section provides the short title of the bill, the “Alaska Trails Act”.

Sec. 2. Designation of the Chilkoot National Historical Trail

Section 2 amends section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) by adding a new paragraph designating the Chilkoot National Historic Trail, a route of approximately 16.5
miles within the Klondike Gold Rush National Historical Park that was used as a trading route by the Tlingit Tribe and Tagish First Nation in addition to being a traditional gold rush route, to be administered by the Secretary of the Interior.

The section provides that the national historic trail designation will not affect any authorities under Public Law 94–323 (16 U.S.C. 410bb et seq.), which established the Klondike Gold Rush National Historical Park.

The section permits the Secretary of the Interior to coordinate with public and non-governmental organizations and universities in the U.S. and Canada, Alaska Native Corporations, and with the Canadian government to exchange information and research relating to the Chilkoot National Historic Trail, support preservation and educational programs, provide technical assistance, and work to establish an international historic trail that provides complementary preservation and education programs in the U.S. and Canada.

Section 3. Alaska Long National Scenic Trail Study

Section 3 amends section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) by adding a new paragraph authorizing a study of the “Alaska Long Trail,” a route of approximately 500 miles from Seward, Alaska to Fairbanks, Alaska.

The Secretary is required to study the feasibility of designating the trail and evaluate the potential impacts of the trail on rights-of-way, existing rights, or other recreational uses of the land proposed to be used for the trail.

The section requires the Secretary to conduct the study in consultation with the Forest Service, the State of Alaska and units of local governments, the Alaska Native Corporations, and representatives of the private sector, including an entity that holds a permit issued by the Federal Energy Regulatory Commission.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office has not estimated the costs of S. 1354 as passed by the Senate. The Committee has requested, but has not yet received, the Congressional Budget Office’s estimate of the cost of S. 1354 as ordered reported. When the Congressional Budget Office completes its cost estimate, it will be posted on the Internet at www.cbo.gov.

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 S. 1354. The bill is not a regulatory measure in the sense of imposing 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 S. 1354, as ordered reported.
CONGRESSIONALLY DIRECTED SPENDING

S. 1354, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Department of the Interior at the June 16, 2021, hearing on S. 1354 follows:

STATEMENT OF MICHAEL CALDWELL, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior’s views on S. 1354, a bill to amend the National Trails System Act to designate the Chilkoot National Historic Trail and to provide for a study of the Alaska Long Trail, and for other purposes.

The Department supports the designation of the Chilkoot National Historic Trail, as provided for by Section 2 of S. 1354. The Department supports with an amendment the authorization of a feasibility study for designating the Alaska Long Trail as a national scenic trail, as provided for by Section 3 of the bill.

Section 2 would amend the National Trails System Act (16 USC 1244(a)) to designate the Chilkoot Trail within Klondike Gold Rush National Historical Park as a National Historic Trail. The trail would be administered by the Secretary of the Interior and a provision in the bill ensures that the designation of the trail would not affect any authorities provided under Public Law 94–323 (16 USC 410bb et seq), the act that established Klondike Gold Rush National Historical Park. S. 1354 also authorizes the Secretary of the Interior to coordinate with organizations and institutions of higher education in the US and Canada, Alaska Native Corporations, and, in consultation with the Secretary of State, the Government of Canada for the purposes of exchanging information, supporting the trail, providing technical assistance, and working to establish an international historic trail.

National Historic Trails, part of the National Trails System, identify and protect travel routes of national historic significance for public use and enjoyment. The designation of the Chilkoot Trail as a National Historic Trail is appropriate not only because of the physical artifacts remaining in place on the trail, but also the universal story of struggle, perseverance, and hope that the trail embodies. The historic and economic impacts of the gold rush are far reaching, and the Klondike legacy is still relevant today. The trail was traditionally used as a trading route by Tlingit (Alaska Native) and Tagish (Canadian First Nation) tribes and continues to beckon a variety of hikers.
from local Alaskans exploring their “backyard” to international visitors who are looking to experience a world-class hiking destination. Already co-managed with Parks Canada, a National Historic Trail designation would highlight both the national and international role that this trail played and continues to play today. The trail receives 3,500 through-hikers and 12,000 day-hikers originating from Skagway.

Section 3 would amend the National Trails System Act (16 USC 1244 (c)) to authorize the Secretary of the Interior, acting through the Director of the Bureau of Land Management, to conduct a study of the feasibility of designating the Alaska Long Trail as a National Scenic Trail. The proposed Alaska Long Trail would extend approximately 500 miles from Seward, Alaska to Fairbanks, Alaska. S. 1354 directs the Secretary to conduct the study in consultation with the Secretary of Agriculture, the State of Alaska, local governments in Alaska, Alaska Native Corporations, and representatives of the private sector, including those that hold Federal Energy Regulatory Commission permits.

National Scenic Trails, another type of trail within the National Trails System, display significant characteristics of the nation’s physiographic regions. They provide for outdoor recreation and for the conservation and enjoyment of scenic, historic, natural or cultural qualities. While the Department supports authorizing this feasibility study, we would like to give further consideration to the question of which Federal land management agency is most appropriate to conduct the study, as it would likely involve lands managed by the U.S. Forest Service, the National Park Service, and the Bureau of Land Management. We would like to work with the bill sponsor and the Committee on an amendment for that purpose. Regardless of which agency conducts the study, that agency will be required to consult with all other affected land management agencies, as provided for in the National Trails System Act (16 USC 1244(b)).

Chairman King, that concludes my statement. I would be happy to answer any questions you or other members of the Subcommittee may have.

**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 S. 1354, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Public Law 90–543

AN ACT To establish a 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,*
SHORT TITLE

Section 1. This Act may be cited as the “National Trails System Act”.

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NATIONAL SCENIC AND NATIONAL HISTORICAL TRAILS

Sec. 5. (a) National scenic and national historic trails shall be authorized and designated only by Act of Congress. There are hereby established the following National Scenic and National Historic Trails:

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(31) CHILKOOT NATIONAL HISTORIC TRAIL.—

(A) IN GENERAL.—The Chilkoot National Historic Trail, a traditional gold rush route of approximately 16.5 miles within the Klondike Gold Rush National Historical Park, as generally depicted on the map entitled “Proposed Chilkoot National Historic Trail”, numbered KLGO–461–173787, and dated October 2020.

(B) AVAILABILITY OF MAP.—The map described in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(C) ADMINISTRATION.—The Chilkoot National Historic Trail shall be administered by the Secretary of the Interior.

(D) EFFECT.—The designation of the Chilkoot National Historic Trail shall not affect any authorities under Public Law 94–323 (16 U.S.C. 410bb et seq.).

(E) COORDINATION OF ACTIVITIES.—The Secretary of the Interior may coordinate with public and nongovernmental organizations and institutions of higher education in the United States and Canada, Alaska Native Corporations, and, in consultation with the Secretary of State, the Government of Canada and any political subdivisions of the Government of Canada for the purposes of—

(i) exchanging information and research relating to the Chilkoot National Historic Trail;

(ii) supporting the preservation of, and educational programs relating to, the Chilkoot National Historic Trail;

(iii) providing technical assistance with respect to the Chilkoot National Historic Trail; and

(iv) working to establish an international historic trail incorporating the Chilkoot National Historic Trail that provides for complementary preservation and education programs in the United States and Canada.

* * * * * * *

(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section:

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(48) ALASKA LONG TRAIL.—
(A) IN GENERAL.—The Alaska Long Trail, extending approximately 500 miles from Seward, Alaska, to Fairbanks, Alaska.

(B) REQUIREMENT.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this paragraph as the “Secretary”), shall study the feasibility of designating the trail described in subparagraph (A).

(C) CONSULTATION.—The Secretary shall conduct the study under this paragraph in consultation with—

(i) the Secretary of Agriculture, acting through the Chief of the Forest Service;

(ii) the State of Alaska;

(iii) units of local government in the State of Alaska;

(iv) Alaska Native Corporations; and

(v) representatives of the private sector, including any entity that holds a permit issued by the Federal Energy Regulatory Commission.