

106TH CONGRESS
1ST SESSION

H. R. 2339

To amend the National Trails System Act to authorize an additional category of national trail known as a national discovery trail, to provide special requirements for the establishment and administration of national discovery trails, and to designate the cross country American Discovery Trail as the first national discovery trail.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 1999

Mr. BEREUTER (for himself, Mr. VENTO, Mr. HEFLEY, Mr. RAHALL, Mr. CASTLE, Mr. PICKETT, Mr. BARRETT of Nebraska, Mr. SAWYER, Mr. BOEHLERT, Mrs. TAUSCHER, Mr. GILCHREST, Mrs. NORTHUP, Mr. MCINNIS, Mr. OBERSTAR, Ms. PELOSI, Mr. FALEOMAVAEGA, Mr. LIPINSKI, Mr. LEACH, Mr. HINCHEY, Mr. MOLLOHAN, Mr. EHRLICH, Mr. ENGLISH, Mr. KUCINICH, Mr. EVANS, Mr. STARK, Mr. LANTOS, Mr. PORTER, Ms. WOOLSEY, Mr. COSTELLO, Mr. DAVIS of Illinois, Mrs. MORELLA, Mr. PHELPS, Mr. UDALL of Colorado, Ms. NORTON, Mr. MORAN of Virginia, Mr. EHLERS, Mr. WELLER, Mr. CLAY, Mr. GILMAN, and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the National Trails System Act to authorize an additional category of national trail known as a national discovery trail, to provide special requirements for the establishment and administration of national discovery trails, and to designate the cross country American Discovery Trail as the first national discovery trail.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Discovery
 5 Trails Act of 1999”.

6 **SEC. 2. AUTHORIZATION OF NATIONAL DISCOVERY TRAILS**

7 **COMPONENT OF NATIONAL TRAILS SYSTEM.**

8 (a) **ADDITIONAL COMPONENT OF SYSTEM.**—Section
 9 3(a) of the National Trails System Act (16 U.S.C.
 10 1242(a)) is amended—

11 (1) by redesignating paragraph (4) as para-
 12 graph (5); and

13 (2) by inserting after paragraph (3) the fol-
 14 lowing new paragraph:

15 “(4) National discovery trails, established as
 16 provided in section 5 and subject to the special re-
 17 quirements of section 7A, which will be extended,
 18 continuous, interstate trails so located as to—

19 “(A) provide for outstanding outdoor
 20 recreation and travel and the conservation and
 21 enjoyment of significant natural, cultural, and
 22 historic resources associated with the trail; and

23 “(B) connect representative examples of
 24 America’s trails and metropolitan, urban, rural,
 25 and backcountry regions of the Nation.”.

1 (b) SPECIAL REQUIREMENTS FOR NATIONAL DIS-
 2 COVERY TRAILS.—The National Trails System Act is
 3 amended by inserting after section 7 (16 U.S.C. 1246)
 4 the following new section:

5 **“SEC. 7A. SPECIAL ADMINISTRATION AND DEVELOPMENT**
 6 **REQUIREMENTS APPLICABLE TO NATIONAL**
 7 **DISCOVERY TRAILS.**

8 “(a) COOPERATIVE ADMINISTRATION.—The appro-
 9 priate Secretary for each national discovery trail shall ad-
 10 minister the trail in cooperation with a competent
 11 trailwide volunteer-based organization.

12 “(b) RELATION TO OTHER TRAILS.—Where national
 13 discovery trails are congruent with other local, State, na-
 14 tional scenic, or national historic trails, the designation
 15 of the national discovery trail shall not in any way dimin-
 16 ish the values and significance for which these trails were
 17 established.”.

18 (c) CONDITIONS ON CONDUCT OF FEASIBILITY
 19 STUDIES.—Section 5(b) of the National Trails System Act
 20 (16 U.S.C. 1244(b)) is amended—

- 21 (1) by redesignating paragraphs (1) through
- 22 (10) as subparagraphs (A) through (J), respectively;
- 23 (2) by striking “the” at the beginning of each
- 24 of subparagraphs (A) through (J), as so redesign-
- 25 nated, and inserting “The”;

1 (3) by striking the semicolon at the end of each
2 of subparagraphs (A) through (I), as so redesign-
3 nated, and inserting a period;

4 (4) in subparagraph (J), as so redesignated, by
5 striking “; and” and inserting a period;

6 (5) by inserting “(1)” after “(b)” at the begin-
7 ning of the subsection;

8 (6) by redesignating paragraph (11) as para-
9 graph (2) and conforming the margins to paragraph
10 (1); and

11 (7) by adding at the end the following new
12 paragraph:

13 “(3)(A) For purposes of this subsection, a trail shall
14 not be considered feasible and desirable for designation
15 as a national discovery trail unless it meets all of the fol-
16 lowing criteria:

17 “(i) The trail must link to one or more areas
18 within the boundaries of a metropolitan area (as
19 those boundaries are determined under section
20 134(c) of title 23, United States Code), and the trail
21 should also join with other trails, thereby tying the
22 National Trails System to significant recreation and
23 resources areas.

24 “(ii) The trail must be supported by at least
25 one competent trailwide volunteer-based organiza-

1 tion, and must have extensive local and trailwide
2 support by the public, by user groups, and by af-
3 fected State and local governments.

4 “(iii) The trail must be extended and pass
5 through more than one State. At a minimum, it
6 should be a continuous, walkable route.

7 “(B) National discovery trails are specifically exempt-
8 ed from the provisions of sections 7(g) of this Act.

9 “(C) The appropriate Secretary shall obtain written
10 consent from affected landowners prior to entering non-
11 public lands for the purposes of conducting any surveys
12 or studies of nonpublic lands relating to designating or
13 administering national discovery trails.”.

14 (d) COMPREHENSIVE NATIONAL DISCOVERY TRAIL
15 PLAN.—Section 5 of the National Trails System Act (16
16 U.S.C. 1244) is amended by adding at the end the fol-
17 lowing new subsection:

18 “(g) COMPREHENSIVE NATIONAL DISCOVERY TRAIL
19 PLAN.—

20 “(1) PREPARATION AND SUBMISSION.—Within
21 three complete fiscal years after the date of enact-
22 ment of legislation designating a national discovery
23 trail, the responsible Secretary shall submit to the
24 Committee on Resources of the House of Represent-
25 atives and the Committee on Energy and Natural

1 Resources of the Senate a comprehensive plan for
2 the protection, management, development, and use
3 of the Federal portions of the trail and for the provi-
4 sion of technical assistance to States and local units
5 of government and private landowners, as requested,
6 for non-Federal portions of the trail.

7 “(2) COOPERATION AND CONSULTATION.—In
8 developing a comprehensive management plan for a
9 national discovery trail, the responsible Secretary
10 shall cooperate to the fullest practicable extent with
11 the organizations sponsoring the trail. The respon-
12 sible Secretary shall ensure that the comprehensive
13 plan does not conflict with existing agency direction
14 and shall consult with the affected land managing
15 agencies, the Governors of the affected States, af-
16 fected county and local political jurisdictions, and
17 local organizations maintaining components of the
18 trail.

19 “(3) SPECIAL REQUIREMENTS OF PLAN.—Com-
20 ponents of the comprehensive management plan for
21 a national discovery trail shall include the following:

22 “(A) Policies, objectives, and practices to
23 be observed in the administration and manage-
24 ment of the trail, including the identification of
25 all significant natural, historical, and cultural

resources to be preserved, model agreements necessary for joint trail administration among and between interested parties, and an identified carrying capacity for critical segments of the trail, and procedures for implementation, where appropriate.

“(B) Strategies for trail protection to retain the values for which the trail is being established and recognized by the Federal Government.

“(C) General and site-specific trail-related development, including anticipated costs.

“(D) The process to be followed to implement the trail marking authorities in section 7(c) conforming to approved trail logo or emblem requirements.”.

(e) CONFORMING AMENDMENTS TO REFLECT NEW CATEGORY OF NATIONAL TRAIL.—The National Trails System Act is amended—

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

(2) in section 5 (16 U.S.C. 1244)—

(A) by striking the section heading and “SEC. 5. (a)” and inserting the following:

1 **“SEC. 5. NATIONAL SCENIC, NATIONAL HISTORIC, AND NA-**
2 **TIONAL DISCOVERY TRAILS.**

3 “(a) CONGRESSIONALLY AUTHORIZED TRAILS.—”;

4 (B) in subsection (a), in the matter pre-
5 ceding paragraph (1)—

6 (i) by striking “and national historic”
7 and inserting “, national historic, and na-
8 tional discovery”; and

9 (ii) by striking “and National His-
10 toric” and inserting “, National Historic,
11 and National Discovery”; and

12 (C) in subsection (b)(1) (as amended by
13 subsection (c) of this section)—

14 (i) in the matter preceding subpara-
15 graph (A), by striking “or national his-
16 toric” and inserting “, national historic, or
17 national discovery”; and

18 (ii) in subparagraph (C), by striking
19 “or national historic” and inserting “, na-
20 tional historic, or national discovery”; and

21 (3) in section 7 (16 U.S.C. 1246)—

22 (A) in subsection (a)(2), by striking “and
23 national historic” and inserting “, national his-
24 toric, and national discovery”;

25 (B) in subsection (b), by striking “or na-
26 tional historic” each place such term appears

1 and inserting “, national historic, or national
2 discovery”;

3 (C) in subsection (c)—

4 (i) by striking “scenic or national his-
5 toric” each place it appears and inserting
6 “scenic, national historic, or national dis-
7 covery”;

8 (ii) in the second proviso, by striking
9 “scenic, or national historic” and inserting
10 “scenic, national historic, or national dis-
11 covery”; and

12 (iii) by striking “, and national his-
13 toric” and inserting “, national historic,
14 and national discovery”;

15 (D) in subsection (d), by striking “or na-
16 tional historic” and inserting “national historic,
17 or national discovery”;

18 (E) in subsection (e), by striking “or na-
19 tional historic” each place such term appears
20 and inserting “, national historic, or national
21 discovery”;

22 (F) in subsection (f)(2), by striking “Na-
23 tional Scenic or Historic Trail” and inserting
24 “national scenic, historic, or discovery trail”;

1 (G) in subsection (h)(1), by striking “or
 2 national historic” and inserting “national his-
 3 toric, or national discovery”; and

4 (H) in subsection (i), by striking “or na-
 5 tional historic” and inserting “national historic,
 6 or national discovery”.

7 **SEC. 3. DESIGNATION OF AMERICAN DISCOVERY TRAIL AS**
 8 **A NATIONAL DISCOVERY TRAIL.**

9 (a) DESIGNATION.—Section 5(a) of National Trails
 10 System Act (16 U.S.C. 1244(a)) is amended by adding
 11 at the end the following new paragraph:

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

1 available for public inspection in the office of the Director
2 of the National Park Service, Department of the Interior.
3 The American Discovery Trail shall be administered by
4 the Secretary of the Interior in cooperation with at least
5 one competent trailwide volunteer-based organization, af-
6 fected land managing agencies and State and local govern-
7 ments as appropriate. No lands or interests outside the
8 exterior boundaries of federally administered areas may
9 be acquired by the Federal Government solely for the
10 American Discovery Trail. The American Discovery Trail
11 is specifically exempted from the provisions of subsection
12 (e), (f), and (g) of section 7.”.

13 (b) CLERICAL AMENDMENTS.—Such section is fur-
14 ther amended—

15 (1) by designating the paragraph relating to the
16 California National Historic Trail as paragraph
17 (18);

18 (2) by designating the paragraph relating to the
19 Pony Express National Historic Trail as paragraph
20 (19); and

21 (3) by designating the paragraph relating to the
22 Selma to Montgomery National Historic Trail as
23 paragraph (20).

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