

108TH CONGRESS
2D SESSION

H. R. 3860

To amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2004

Mr. PETERSON of Pennsylvania (for himself, Mr. KIND, Mr. EHLERS, Mr. KILDEE, Mr. OBEY, Mr. HOUGHTON, Mr. ENGLISH, Mr. HEFLEY, Mr. LEVIN, Mr. REGULA, Ms. HART, Mr. KLECZKA, Mr. BEREUTER, Mr. UDALL of Colorado, Ms. BALDWIN, and Mr. GREEN of Wisconsin) introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “National Trails System
5 Willing Seller Act”.

1 **SEC. 2. AUTHORITY TO ACQUIRE LANDS FROM WILLING**
2 **SELLERS FOR CERTAIN TRAILS.**

3 (a) OREGON NATIONAL HISTORIC TRAIL.—Section
4 5(a)(3) of the National Trails System Act (16 U.S.C.
5 1244(a)(3)) is amended by adding at the end the fol-
6 lowing: “No lands or interests therein outside the exterior
7 boundaries of any federally administered area may be ac-
8 quired by the Federal Government for the trail except with
9 the consent of the owner thereof. The authority of the
10 Federal Government to acquire fee title under this para-
11 graph shall be limited to an average of not more than one-
12 quarter mile on either side of the trail.”.

13 (b) MORMON PIONEER NATIONAL HISTORIC
14 TRAIL.—Section 5(a)(4) of the National Trails System
15 Act (16 U.S.C. 1244(a)(4)) is amended by adding at the
16 end the following: “No lands or interests therein outside
17 the exterior boundaries of any federally administered area
18 may be acquired by the Federal Government for the trail
19 except with the consent of the owner thereof. The author-
20 ity of the Federal Government to acquire fee title under
21 this paragraph shall be limited to an average of not more
22 than one-quarter mile on either side of the trail.”.

23 (c) CONTINENTAL DIVIDE NATIONAL SCENIC
24 TRAIL.—Section 5(a)(5) of the National Trails System
25 Act (16 U.S.C. 1244(a)(5)) is amended by adding at the
26 end the following: “No lands or interests therein outside

1 the exterior boundaries of any federally administered area
2 may be acquired by the Federal Government for the trail
3 except with the consent of the owner thereof. The author-
4 ity of the Federal Government to acquire fee title under
5 this paragraph shall be limited to an average of not more
6 than one-quarter mile on either side of the trail.”.

7 (d) LEWIS AND CLARK NATIONAL HISTORIC
8 TRAIL.—Section 5(a)(6) of the National Trails System
9 Act (16 U.S.C. 1244(a)(6)) is amended by adding at the
10 end the following: “No lands or interests therein outside
11 the exterior boundaries of any federally administered area
12 may be acquired by the Federal Government for the trail
13 except with the consent of the owner thereof. The author-
14 ity of the Federal Government to acquire fee title under
15 this paragraph shall be limited to an average of not more
16 than one-quarter mile on either side of the trail.”.

17 (e) IDITAROD NATIONAL HISTORIC TRAIL.—Section
18 5(a)(7) of the National Trails System Act (16 U.S.C.
19 1244(a)(7)) is amended by adding at the end the fol-
20 lowing: “No lands or interests therein outside the exterior
21 boundaries of any federally administered area may be ac-
22 quired by the Federal Government for the trail except with
23 the consent of the owner thereof. The authority of the
24 Federal Government to acquire fee title under this para-

1 graph shall be limited to an average of not more than one-
 2 quarter mile on either side of the trail.”.

3 (f) NORTH COUNTRY NATIONAL SCENIC TRAIL.—
 4 Section 5(a)(8) of the National Trails System Act (16
 5 U.S.C. 1244(a)(8)) is amended by adding at the end the
 6 following: “No lands or interests therein outside the exte-
 7 rior boundaries of any federally administered area may be
 8 acquired by the Federal Government for the trail except
 9 with the consent of the owner thereof.”.

10 (g) ICE AGE NATIONAL SCENIC TRAIL.—Section
 11 5(a)(10) of the National Trails System Act (16 U.S.C.
 12 1244(a)(10)) is amended by adding at the end the fol-
 13 lowing: “No lands or interests therein outside the exterior
 14 boundaries of any federally administered area may be ac-
 15 quired by the Federal Government for the trail except with
 16 the consent of the owner thereof.”.

17 (h) POTOMAC HERITAGE NATIONAL SCENIC
 18 TRAIL.—Section 5(a)(11) of the National Trails System
 19 Act (16 U.S.C. 1244(a)(11)) is amended by adding at the
 20 end the following: “No lands or interests therein outside
 21 the exterior boundaries of any federally administered area
 22 may be acquired by the Federal Government for the trail
 23 except with the consent of the owner thereof.”.

24 (i) NEZ PERCE NATIONAL HISTORIC TRAIL.—Sec-
 25 tion 5(a)(14) of the National Trails System Act (16

1 U.S.C. 1244(a)(14)) is amended by adding at the end the
2 following: “No lands or interests therein outside the exte-
3 rior boundaries of any federally administered area may be
4 acquired by the Federal Government for the trail except
5 with the consent of the owner thereof. The authority of
6 the Federal Government to acquire fee title under this
7 paragraph shall be limited to an average of not more than
8 one-quarter mile on either side of the trail.”.

9 (j) CONFORMING AMENDMENT.—Section 10(c) of the
10 National Trails System Act (16 U.S.C. 1249(c)) is amend-
11 ed to read as follows:

12 “(c)(1) Except as otherwise provided in this Act,
13 there is authorized to be appropriated such sums as may
14 be necessary to implement the provisions of this Act relat-
15 ing to the trails designated by section 5(a).

16 “(2) Not more than \$500,000 may be appropriated
17 for the purposes of land acquisition and interests therein
18 for the Natchez Trace National Scenic Trail designated
19 by section 5(a)(12) of this Act, and not more than
20 \$2,000,000 may be appropriated for the purposes of the
21 development of such trail. The administering agency for
22 the trail shall encourage volunteer trail groups to partici-
23 pate in the development of the trail.”.

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