

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1069

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IN THE HOUSE OF REPRESENTATIVES

JULY 20, 1998

Referred to the Committee on Resources

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## AN ACT

Entitled the “National Discovery Trails Act of 1997”.

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 1998”.

1 **SEC. 2. NATIONAL TRAILS SYSTEM ACT AMENDMENTS.**

2 (a)(1) Section 3(a) of the National Trails System Act  
3 (16 U.S.C. 1242(a)) is amended by inserting after para-  
4 graph (4) the following:

5 “(5) National discovery trails, established as  
6 provided in section 5, which will be extended, contin-  
7 uous, interstate trails so located as to provide for  
8 outstanding outdoor recreation and travel and to  
9 connect representative examples of America’s trails  
10 and communities. National discovery trails should  
11 provide for the conservation and enjoyment of sig-  
12 nificant natural, cultural, and historic resources as-  
13 sociated with each trail and should be so located as  
14 to represent metropolitan, urban, rural, and back  
15 country regions of the Nation. Any such trail may  
16 be designated on federal lands and, with the consent  
17 of the owner thereof, on any non federal lands.”.

18 (2) **FEASIBILITY REQUIREMENTS; COOPERATIVE**  
19 **MANAGEMENT REQUIREMENT.**—Section 5(b) of such Act  
20 (16 U.S.C. 1244) is amended by adding at the end the  
21 following new paragraph:

22 “(12) For purposes of subsection (b), a trail  
23 shall not be considered feasible and desirable for  
24 designation as a national discovery trail unless it  
25 meets all of the following criteria:

1           “(A) The trail must link one or more areas  
2           within the boundaries of a metropolitan area  
3           (as those boundaries are determined under sec-  
4           tion 134(c) of title 23, United States Code). It  
5           should also join with other trails, connecting  
6           the National Trails System to significant recre-  
7           ation and resources areas.

8           “(B) The trail must be supported by at  
9           least one competent trailwide nonprofit organi-  
10          zation. Each trail should have extensive local  
11          and trailwide support by the public, by user  
12          groups, and by affected State and local govern-  
13          ments.

14          “(C) The trail must be extended and pass  
15          through more than one State. At a minimum,  
16          it should be a continuous, walkable route.

17          “(13) The appropriate Secretary for each na-  
18          tional discovery trail shall administer the trail in co-  
19          operation with at least one competent trailwide vol-  
20          unteer-based organization. Where the designation of  
21          discovery trail is aligned with other units of the Na-  
22          tional Trails System, or State or local trails, the des-  
23          ignation of a discovery trail shall not affect the pro-  
24          tections or authorities provided for the other trail or  
25          trails, nor shall the designation of a discovery trail

1       diminish the values and significance for which those  
2       trails were established.”.

3       (b) DESIGNATION OF THE AMERICAN DISCOVERY  
4 TRAIL AS A NATIONAL DISCOVERY TRAIL.—Section 5(a)  
5 of such Act (16 U.S.C. 1244(a)) is amended—

6           (1) by redesignating the paragraph relating to  
7       the California National Historic Trail as paragraph  
8       (18);

9           (2) by redesignating the paragraph relating to  
10       the Pony Express National Historic Trail as para-  
11       graph (19);

12          (3) by redesignating the paragraph relating to  
13       the Selma to Montgomery National Historic Trail as  
14       paragraph (20); and

15          (4) by adding at the end the following:

16           “(21) The American Discovery Trail, a trail of  
17       approximately 6,000 miles extending from Cape  
18       Henlopen State Park in Delaware to Point Reyes  
19       National Seashore in California, extending westward  
20       through Delaware, Maryland, the District of Colum-  
21       bia, West Virginia, Ohio, and Kentucky, where near  
22       Cincinnati it splits into two routes. The Northern  
23       Midwest route traverses Ohio, Indiana, Illinois,  
24       Iowa, Nebraska, and Colorado, and the Southern  
25       Midwest route traverses Indiana, Illinois, Missouri,

1 Kansas, and Colorado. After the two routes rejoin in  
2 Denver, Colorado, the route continues through Colo-  
3 rado, Utah, Nevada, and California. The trail is gen-  
4 erally described in Volume 2 of the National Park  
5 Service feasibility study dated June 1995 which  
6 shall be on file and available for public inspection in  
7 the office of the Director of the National Park Serv-  
8 ice, Department of the Interior, the District of Co-  
9 lumbia. The American Discovery Trail shall be ad-  
10 ministered by the Secretary of the Interior in co-  
11 operation with at least one competent trailwide vol-  
12 unteer-based organization and other affected federal  
13 land managing agencies, and state and local govern-  
14 ments, as appropriate. No lands or interests outside  
15 the exterior boundaries of federally administered  
16 areas may be acquired by the Federal Government  
17 solely for the American Discovery Trail. The provi-  
18 sions of sections 7(e), 7(f), and 7(g) shall not apply  
19 to the American Discovery Trail.”.

20 (c) COMPREHENSIVE NATIONAL DISCOVERY TRAIL  
21 PLAN.—Section 5 of such Act (16 U.S.C. 1244) is further  
22 amended by adding at the end the following new sub-  
23 section:

24 “(g) Within three complete fiscal years after the date  
25 of enactment of any law designating a national discovery

1 trail, the administering Federal agency shall, in coopera-  
2 tion with at least one competent trailwide volunteer-based  
3 organization, submit a comprehensive plan for the protec-  
4 tion, management, development, and use of the federal  
5 portions of the trail, and provide technical assistance to  
6 states and local units of government and private land-  
7 owners, as requested, for non-federal portions of the trail,  
8 to the Committee on Resources of the United States  
9 House of Representatives and the Committee on Energy  
10 and Natural Resources of the United States Senate. The  
11 responsible Secretary shall ensure that the comprehensive  
12 plan for the entire trail does not conflict with existing  
13 agency direction and that the volunteer-based organization  
14 shall consult with the affected land managing agencies, the  
15 Governors of the affected States, affected county and local  
16 political jurisdictions, and local organizations maintaining  
17 components of the trail. Components of the comprehensive  
18 plan include—

19           “(1) policies and practices to be observed in the  
20           administration and management of the trail, includ-  
21           ing the identification of all significant natural, his-  
22           torical, and cultural resources to be preserved, model  
23           agreements necessary for joint trail administration  
24           among and between interested parties, and an iden-  
25           tified carrying capacity for critical segments of the

1 trail and a plan for their implementation where ap-  
2 propriate;

3 “(2) general and site-specific trail-related devel-  
4 opment including costs; and

5 “(3) the process to be followed by the volunteer-  
6 based organization, in cooperation with the appro-  
7 priate Secretary, to implement the trail marking au-  
8 thorities in section 7(c) conforming to approved trail  
9 logo or emblem requirements.”. Nothing in this Act  
10 may be construed to impose or permit the imposition  
11 of any landowner on the use of any non federal  
12 lands without the consent of the owner thereof. Nei-  
13 ther the designation of a National Discovery Trail  
14 nor any plan relating thereto shall affect or be con-  
15 sidered in the granting or denial of a right of way  
16 or any conditions relating thereto.”.

17 **SEC. 3. CONFORMING AMENDMENTS.**

18 The National Trails System Act is amended—

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

22 (2) in the section heading to section 5 (16  
23 U.S.C. 1244), by striking “**AND NATIONAL**  
24 **HISTORIC**” and inserting “, **NATIONAL HIS-**  
25 **TORIC, AND NATIONAL DISCOVERY**”;

1           (3) in section 5(a) (16 U.S.C. 1244(a)), in the  
2 matter preceding paragraph (1)—

3           (A) by striking “and national historic” and  
4 inserting “, national historic, and national dis-  
5 covery”; and

6           (B) by striking “and National Historic”  
7 and inserting “, National Historic, and Na-  
8 tional Discovery”;

9           (4) in section 5(b) (16 U.S.C. 1244(b)), in the  
10 matter preceding paragraph (1), by striking “or na-  
11 tional historic” and inserting “, national historic, or  
12 national discovery;

13           (5) in section 5(b)(3) (16 U.S.C. 1244(b)(3)),  
14 by striking “or national historic” and inserting “,  
15 national historic, or national discovery”;

16           (6) in section 7(a)(2) (16 U.S.C. 1246(a)(2)),  
17 by striking “and national historic” and inserting “,  
18 national historic, and national discovery”;

19           (7) in section 7(b) (16 U.S.C. 1246(b)), by  
20 striking “or national historic” each place such term  
21 appears and inserting “, national historic, or na-  
22 tional discovery”;

23           (8) in section 7(c) (16 U.S.C. 1246(c))—



1 (A) by striking “scenic or national his-  
2 toric” each place it appears and inserting “see-  
3 nic, national historic, or national discovery”;

4 (B) in the second proviso, by striking “see-  
5 nic, or national historic” and inserting “scenic,  
6 national historic, or national discovery”; and

7 (C) by striking “, and national historic”  
8 and inserting “, national historic, and national  
9 discovery”;

10 (9) in section 7(d) (16 U.S.C. 1246(d)), by  
11 striking “or national historic” and inserting “na-  
12 tional historic, or national discovery”;

13 (10) in section 7(e) (16 U.S.C. 1246(e)), by  
14 striking “or national historic” each place such term  
15 appears and inserting “, national historic, or na-  
16 tional discovery”;

17 (11) in section 7(f)(2) (16 U.S.C. 1246(f)(2)),  
18 by striking “National Scenic or Historic” and insert-  
19 ing “national scenic, historic, or discovery trail”;

20 (12) in section 7(h)(1) (16 U.S.C. 1246(h)(1)),  
21 by striking “or national historic” and inserting “na-  
22 tional historic, or national discovery”; and

1           (13) in section 7(i) (16 U.S.C. 1246(i)), by  
2           striking “or national historic” and inserting “na-  
3           tional historic, or national discovery”.

Passed the Senate July 17, 1998.

Attest:

GARY SISCO,  
*Secretary.*