

106TH CONGRESS
1ST SESSION

S. 734

Entitled “National Discovery Trails Act of 1999”.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 1999

Mr. MURKOWSKI (for himself and Mr. REID) introduced the following bill;
which was referred to the Committee on Energy and Natural Resources

A BILL

Entitled “National Discovery Trails Act of 1999”.

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. NATIONAL TRAILS SYSTEM ACT AMENDMENTS.**

7 (a)(1) Section 3(a) of the National Trails System Act
8 (16 U.S.C. 1242(a)) is amended by inserting after para-
9 graph (4) the following:

10 “(5) National discovery trails, established as
11 provided in section 5, which will be extended, contin-
12 uous, interstate trails so located as to provide for

1 outstanding outdoor recreation and travel and to
2 connect representative examples of America’s trails
3 and communities. National discovery trails should
4 provide for the conservation and enjoyment of sig-
5 nificant natural, cultural, and historic resources as-
6 sociated with each trail and should be so located as
7 to represent metropolitan, urban, rural, and back
8 country regions of the Nation. Any such trail may
9 be designated on federal lands and, with the consent
10 of the owner thereof, on any non federal lands.”.

11 (2) FEASIBILITY REQUIREMENTS; COOPERATIVE
12 MANAGEMENT REQUIREMENT.—Section 5(b) of such Act
13 (16 U.S.C. 1244) is amended by adding at the end the
14 following new paragraph:

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

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

1 “(B) The trail must be supported by at
2 least one competent trailwide volunteer-based
3 organization. Each trail should have extensive
4 local and trailwide support by the public, by
5 users groups, and by affected State and local
6 governments.

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

10 “(13) The appropriate Secretary for each na-
11 tional discovery trail shall administer the trail in co-
12 operation with at least one competent trailwide vol-
13 unteer-based organization. Where the designation of
14 discovery trail is aligned with other units of the Na-
15 tional Trails System, or State or local trails, the des-
16 ignation of a discovery trail shall not affect the pro-
17 tections or authorities provided for the other trail
18 or trails, nor shall the designation of a discovery
19 trail diminish the values and significance for which
20 those trails were established.”.

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

1 (1) by re-designating the paragraph relating to
2 the California National Historic Trail as paragraph
3 (18);

4 (2) by re-designating the paragraph relating to
5 the Pony Express National Historic Trail as para-
6 graph (19);

7 (3) by re-designating the paragraph relating to
8 the Selma to Montgomery National Historic Trail as
9 paragraph (20); and

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

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

1 shall be on file and available for public inspection in
2 the office of the Director of the National Park Serv-
3 ice, Department of the Interior, the District of Co-
4 lumbia. The American Discovery Trail shall be ad-
5 ministered by the Secretary of the Interior in co-
6 operation with at least one competent trailwide vol-
7 unteer-based organization and other affected federal
8 land managing agencies, and state and local govern-
9 ments, as appropriate. No lands or interests outside
10 the exterior boundaries of federally administered
11 areas may be acquired by the Federal Government
12 solely for the American Discovery Trail. The provi-
13 sions of sections 7(e), 7(f), and 7(g) shall not apply
14 to the American Discovery Trail.”.

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

19 “(g) Within three complete fiscal years after the date
20 of enactment of any law designating a national discovery
21 trail, the administering Federal agency shall, in coopera-
22 tion with at least one competent trailwide volunteer-based
23 organization, submit a comprehensive plan for the protec-
24 tion, management, development, and use of the federal
25 portions of the trail, and provide technical assistance to

1 states and local units of government and private land-
2 owners, as requested, for non-federal portions of the trail,
3 to the Committee on Resources of the United States
4 House of Representatives and the Committee on Energy
5 and Natural Resources of the United States Senate. The
6 responsible Secretary shall ensure that the comprehensive
7 plan for the entire trail does not conflict with existing
8 agency direction and that the volunteer-based organization
9 shall consult with the affected land managing agencies, the
10 Governors of the affected States, affected county and local
11 political jurisdictions, and local organizations maintaining
12 components of the trail. Components of the comprehensive
13 plan include—

14 “(1) policies and practices to be observed in the
15 administration and management of the trail, includ-
16 ing the identification of all significant natural, his-
17 torical, and cultural resources to be preserved, model
18 agreements necessary for joint trail administration
19 among and between interested parties, and an iden-
20 tified carrying capacity for critical segments of the
21 trail and a plan for their implementation where ap-
22 propriate;

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

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

13 **SEC. 3. CONFORMING AMENDMENTS.**

14 The National Trails System Act is amended—

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

18 (2) in the section heading to section 5 (16
19 U.S.C. 1244), by striking “**AND NATIONAL**
20 **HISTORIC**” and inserting “, **NATIONAL HIS-**
21 **TORIC, AND NATIONAL DISCOVERY**”;

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

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

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

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

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

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

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

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

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

1 (B) in the second proviso, by striking “see-
2 nic, or national historic” and inserting “scenic,
3 national historic, or national discovery”; and

4 (C) by striking “, and national historic”
5 and inserting “, national historic, and national
6 discovery”;

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

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

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

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

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

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