

Calendar No. 576

107TH CONGRESS
2^D SESSION**H. R. 37****[Report No. 107-259]**

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2001

Received; read twice and referred to the Committee on Energy and Natural
Resources

SEPTEMBER 9, 2002

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails.

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

1 **SECTION 1. REVISION OF FEASIBILITY AND SUITABILITY**
2 **STUDIES OF EXISTING NATIONAL HISTORIC**
3 **TRAILS.**

4 The National Trails System Act is amended by in-
5 serting after section 5 (16 U.S.C. 1244) the following new
6 section:

7 **“SEC. 5A. REVISION OF FEASIBILITY AND SUITABILITY**
8 **STUDIES OF EXISTING TRAILS FOR POSSIBLE**
9 **TRAIL EXPANSION.**

10 **“(a) IN GENERAL.—**

11 **“(1) DEFINITIONS.—**In this section:

12 **“(A) ROUTE.—**The term ‘route’ includes a
13 trail segment commonly known as a cutoff.

14 **“(B) SHARED ROUTE.—**The term ‘shared
15 route’ means a route that was a segment of
16 more than one historic trail, including a route
17 shared with an existing national historic trail.

18 **“(2) STUDY REQUIREMENTS AND OBJEC-**
19 **TIVES.—**The study requirements and objectives spec-
20 ified in section 5(b) shall apply to a study required
21 by this section. The study shall also assess the effect
22 that designation of the studied route as a component
23 of an existing national scenic trail or national his-
24 toric trail may have on private property along the
25 proposed route.

1 “(3) COMPLETION AND SUBMISSION OF
2 STUDY.—A study listed in this section shall be com-
3 pleted and submitted to the Congress not later than
4 three complete fiscal years from the date of the en-
5 actment of this section, or from the date of the en-
6 actment of the addition of the study to this section,
7 whichever is later.

8 “(4) IMPLEMENTATION OF STUDY RESULTS.—
9 Upon completion of a study required by this section,
10 if the Secretary conducting the study determines
11 that a studied route is a feasible and suitable addi-
12 tion to the existing national scenic trail or national
13 historic trail that was the subject of the study, the
14 Secretary shall designate the route as a component
15 of that national scenic trail or national historic trail.
16 The Secretary shall publish notice of the designation
17 in the Federal Register.

18 “(b) OREGON NATIONAL HISTORIC TRAIL.—

19 “(1) STUDY REQUIRED.—The Secretary of the
20 Interior shall undertake a study of the routes of the
21 Oregon Trail listed in paragraph (2) and generally
22 depicted on the map entitled ‘Western Emigrant
23 Trails 1830/1870’ and dated 1991/1993, and of
24 such shared routes that the Secretary considers ap-
25 propriate, to determine the feasibility and suitability

1 of designation of one or more of the routes as com-
 2 ponents of the Oregon National Historic Trail.

3 “(2) COVERED ROUTES.—The routes to be
 4 studied under paragraph (1) are the following:

5 “(A) Whitman Mission route.

6 “(B) Upper Columbia River.

7 “(C) Cowlitz River route.

8 “(D) Meek cutoff.

9 “(E) Free Emigrant Road.

10 “(F) North Alternate Oregon Trail.

11 “(G) Goodale’s cutoff.

12 “(H) North Side alternate route.

13 “(I) Cutoff to Barlow Road.

14 “(J) Naches Pass Trail.

15 “(c) PONY EXPRESS NATIONAL HISTORIC TRAIL.—

16 The Secretary of the Interior shall undertake a study of
 17 the approximately 20-mile southern alternative route of
 18 the Pony Express Trail from Wathena, Kansas, to Troy,
 19 Kansas, and such shared routes that the Secretary con-
 20 siders appropriate, to determine the feasibility and suit-
 21 ability of designation of one or more of the routes as com-
 22 ponents of the Pony Express National Historic Trail.

23 “(d) CALIFORNIA NATIONAL HISTORIC TRAIL.—

24 “(1) STUDY REQUIRED.—The Secretary of the
 25 Interior shall undertake a study of the Missouri Val-

1 ley, central, and western routes of the California
 2 Trail listed in paragraph (2) and generally depicted
 3 on the map entitled ‘Western Emigrant Trails 1830/
 4 1870’ and dated 1991/1993, and of such shared
 5 Missouri Valley, central, and western routes that the
 6 Secretary considers appropriate, to determine the
 7 feasibility and suitability of designation of one or
 8 more of the routes as components of the California
 9 National Historic Trail.

10 “(2) COVERED ROUTES.—The routes to be
 11 studied under paragraph (1) are the following:

12 “(A) MISSOURI VALLEY ROUTES.—

13 “(i) Blue Mills–Independence Road.

14 “(ii) Westport Landing Road.

15 “(iii) Westport–Lawrence Road.

16 “(iv) Fort Leavenworth–Blue River
 17 route.

18 “(v) Road to Amazonia.

19 “(vi) Union Ferry Route.

20 “(vii) Old Wyoming–Nebraska City
 21 cutoff.

22 “(viii) Lower Plattsmouth Route.

23 “(ix) Lower Bellevue Route.

24 “(x) Woodbury cutoff.

25 “(xi) Blue Ridge cutoff.

1 “(xii) Westport Road.

2 “(xiii) Gum Springs—Fort Leaven-
3 worth route.

4 “(xiv) Atchison/Independence Creek
5 routes.

6 “(xv) Fort Leavenworth—Kansas River
7 route.

8 “(xvi) Nebraska City cutoff routes.

9 “(xvii) Minersville—Nebraska City
10 Road.

11 “(xviii) Upper Plattsmouth route.

12 “(xix) Upper Bellevue route.

13 “(B) CENTRAL ROUTES.—

14 “(i) Cherokee Trail, including splits.

15 “(ii) Weber Canyon route of Hastings
16 cutoff.

17 “(iii) Bishop Creek cutoff.

18 “(iv) McAuley cutoff.

19 “(v) Diamond Springs cutoff.

20 “(vi) Secret Pass.

21 “(vii) Greenhorn cutoff.

22 “(viii) Central Overland Trail.

23 “(C) WESTERN ROUTES.—

24 “(i) Bidwell—Bartleson route.

25 “(ii) Georgetown/Dagget Pass Trail.

1 “(iii) Big Trees Road.

2 “(iv) Grizzly Flat cutoff.

3 “(v) Nevada City Road.

4 “(vi) Yreka Trail.

5 “(vii) Henness Pass route.

6 “(viii) Johnson cutoff.

7 “(ix) Luther Pass Trail.

8 “(x) Volcano Road.

9 “(xi) Sacramento-Coloma Wagon
10 Road.

11 “(xii) Burnett cutoff.

12 “(xiii) Placer County Road to Auburn.

13 “(e) MORMON PIONEER NATIONAL HISTORIC
14 TRAIL.—

15 “(1) STUDY REQUIRED.—The Secretary of the
16 Interior shall undertake a study of the routes of the
17 Mormon Pioneer Trail listed in paragraph (2) and
18 generally depicted on the map entitled ‘Western Em-
19 igrant Trails 1830/1870’ and dated 1991/1993, and
20 of such shared routes that the Secretary considers
21 appropriate, to determine the feasibility and suit-
22 ability of designation of one or more of the routes
23 as components of the Mormon Pioneer National His-
24 toric Trail.

1 “(2) COVERED ROUTES.—The routes to be
2 studied under paragraph (1) are the following:

3 “(A) 1846 Subsequent routes A and B
4 (Lucas and Clarke Counties, Iowa):

5 “(B) 1856–57 Handcart route (Iowa City
6 to Council Bluffs)

7 “(C) Keokuk route (Iowa):

8 “(D) 1847 Alternative Elkhorn and Loup
9 River Crossings in Nebraska.

10 “(E) Fort Leavenworth Road; Ox Bow
11 route and alternates in Kansas and Missouri
12 (Oregon and California Trail routes used by
13 Mormon emigrants):

14 “(F) 1850 Golden Pass Road in Utah.

15 “(f) SHARED CALIFORNIA AND OREGON TRAIL
16 ROUTES.—

17 “(1) STUDY REQUIRED.—The Secretary of the
18 Interior shall undertake a study of the shared routes
19 of the California Trail and Oregon Trail listed in
20 paragraph (2) and generally depicted on the map en-
21 titled ‘Western Emigrant Trails 1830/1870’ and
22 dated 1991/1993, and of such other shared routes
23 that the Secretary considers appropriate, to deter-
24 mine the feasibility and suitability of designation of
25 one or more of the routes as shared components of

1 the California National Historic Trail and the Or-
 2 egon National Historic Trail.

3 “(2) COVERED ROUTES.—The routes to be
 4 studied under paragraph (1) are the following:

5 “(A) St. Joe Road.

6 “(B) Council Bluffs Road.

7 “(C) Sublette cutoff.

8 “(D) Applegate route.

9 “(E) Old Fort Kearny Road (Oxbow
 10 Trail).

11 “(F) Childs cutoff.

12 “(G) Raft River to Applegate.”.

13 **SECTION 1. REVISION OF FEASIBILITY AND SUITABILITY**
 14 **STUDIES OF EXISTING NATIONAL HISTORIC**
 15 **TRAILS.**

16 *Section 5 of the National Trails System Act (16 U.S.C.*
 17 *1244) is amended by inserting the following new sub-*
 18 *section(g):*

19 “(g) *The Secretary shall revise the feasibility and suit-*
 20 *ability studies for certain national trails for consideration*
 21 *of possible additions to the trails.*

22 “(1) *IN GENERAL.—*

23 “(A) *DEFINITIONS.—In this subsection:*

24 “(i) *ROUTE.—The term ‘route’ includes*
 25 *a trail segment common known as a cutoff.*

1 “(ii) *SHARED ROUTE.*—*The term*
2 *‘shared’ route means a route that was a seg-*
3 *ment of more than one historic trail, in-*
4 *cluding a route shared with an existing na-*
5 *tional historic trail.*

6 “(B) *STUDY REQUIREMENTS AND OBJEC-*
7 *TIVES.*—*The study requirements and objectives*
8 *specified in subsection (b) shall apply to a study*
9 *required by this subsection.*

10 “(C) *COMPLETION AND SUBMISSION OF*
11 *STUDY.*—*A study listed in this subsection shall*
12 *be completed and submitted to the Congress not*
13 *later than three complete fiscal years from the*
14 *date of the enactment of this subsection, or from*
15 *the date of the enactment of the addition of the*
16 *study to this subsection, whichever is later.*

17 “(2) *OREGON NATIONAL HISTORIC TRAIL.*—

18 “(A) *STUDY REQUIRED.*—*The Secretary of*
19 *the Interior shall undertake a study of the routes*
20 *of the Oregon Trail listed in subparagraph (B)*
21 *and generally depicted on the map entitled*
22 *‘Western Emigrant Trails 1830/1870’ and dated*
23 *1991/1993, and of such other routes of the Or-*
24 *egon Trail that the Secretary considers appro-*
25 *priate, to determine the feasibility and suit-*

1 *ability of designation of one or more of the*
2 *routes as components of the Oregon National*
3 *Historic Trail.*

4 “(B) COVERED ROUTES.—*The routes to be*
5 *studied under subparagraph (A) shall include the*
6 *following:*

7 “(i) *Whitman Mission route.*

8 “(ii) *Upper Columbia River.*

9 “(iii) *Cowlitz River route.*

10 “(iv) *Meek cutoff.*

11 “(v) *Free Emigrant Road.*

12 “(vi) *North Alternate Oregon Trail.*

13 “(vii) *Goodale’s cutoff.*

14 “(viii) *North Side alternate route.*

15 “(ix) *Cutoff to Barlow Road.*

16 “(x) *Naches Pass Trail.*

17 “(3) PONY EXPRESS NATIONAL HISTORIC
18 TRAIL.—*The Secretary of the Interior shall undertake*
19 *a study of the approximately 20-mile southern alter-*
20 *native route of the Pony Express Trail from Wathena,*
21 *Kansas, to Troy, Kansas, and such other routes of the*
22 *Pony Express Trail that the Secretary considers ap-*
23 *propriate, to determine the feasibility and suitability*
24 *of designation of one or more of the routes as compo-*
25 *nents of the Pony Express National Historic Trail.*

1 “(4) CALIFORNIA NATIONAL HISTORIC TRAIL.—

2 “(A) STUDY REQUIRED.—*The Secretary of*
3 *the Interior shall undertake a study of the Mis-*
4 *souri Valley, central, and western routes of the*
5 *California Trail listed in subparagraph (B) and*
6 *generally depicted on the map entitled ‘Western*
7 *Emigrant Trails 1830/1870’ and dated 1991/*
8 *1993, and of such other and shared Missouri*
9 *Valley, central, and western routes that the Sec-*
10 *retary considers appropriate, to determine the*
11 *feasibility and suitability of designation of one*
12 *or more of the routes as components of the Cali-*
13 *ifornia National Historic Trail.*

14 “(B) COVERED ROUTES.—*The routes to be*
15 *studied under subparagraph (A) shall include the*
16 *following:*

17 “(i) MISSOURI VALLEY ROUTES.—

18 “(I) *Blue Mills-Independence*
19 *Road.*

20 “(II) *Westport Landing Road.*

21 “(III) *Westport-Lawrence Road.*

22 “(IV) *Fort Leavenworth-Blue*
23 *River route.*

24 “(V) *Road to Amazonia.*

25 “(VI) *Union Ferry Route.*

1 “(VII) *Old Wyoming-Nebraska*
2 *City cutoff.*

3 “(VIII) *Lower Plattsmouth Route.*

4 “(IX) *Lower Bellevue Route.*

5 “(X) *Woodbury cutoff.*

6 “(XI) *Blue Ridge cutoff.*

7 “(XII) *Westport Road.*

8 “(XIII) *Gum Springs-Fort Leav-*
9 *enworth route.*

10 “(XIV) *Atchison/Independence*
11 *Creek routes.*

12 “(XV) *Fort Leavenworth-Kansas*
13 *River route.*

14 “(XVI) *Nebraska City cutoff*
15 *routes.*

16 “(XVII) *Minersville-Nebraska*
17 *City Road.*

18 “(XVIII) *Upper Plattsmouth*
19 *route.*

20 “(XIX) *Upper Bellevue route.*

21 “(ii) *CENTRAL ROUTES.—*

22 “(I) *Cherokee Trail, including*
23 *splits.*

24 “(II) *Weber Canyon route of*
25 *Hastings cutoff.*

1 “(III) *Bishop Creek cutoff.*

2 “(IV) *McAuley cutoff.*

3 “(V) *Diamond Springs cutoff.*

4 “(VI) *Secret Pass.*

5 “(VII) *Greenhorn cutoff.*

6 “(VIII) *Central Overland Trail.*

7 “(iii) *WESTERN ROUTES.—*

8 “(I) *Bidwell-Bartleson route.*

9 “(II) *Georgetown/Dagget Pass*
10 *Trail.*

11 “(III) *Big Trees Road.*

12 “(IV) *Grizzly Flat cutoff.*

13 “(V) *Nevada City Road.*

14 “(VI) *Yreka Trail.*

15 “(VII) *Heness Pass route.*

16 “(VIII) *Johnson cutoff.*

17 “(IX) *Luther Pass Trail.*

18 “(X) *Volcano Road.*

19 “(XI) *Sacramento-Coloma Wagon*
20 *Road.*

21 “(XII) *Burnett cutoff.*

22 “(XIII) *Placer County Road to*
23 *Auburn.*

24 “(5) *MORMON PIONEER NATIONAL HISTORIC*
25 *TRAIL.—*

1 “(A) *STUDY REQUIRED.*—*The Secretary of*
2 *the Interior shall undertake a study of the routes*
3 *of the Mormon Pioneer Trail listed in subpara-*
4 *graph (B) and generally depicted on the map en-*
5 *titled ‘Western Emigrant Trails 1830/1870’ and*
6 *dated 1991/1993, and of such other routes of the*
7 *Mormon Pioneer Trail that the Secretary con-*
8 *siders appropriate, to determine the feasibility*
9 *and suitability of designation of one or more of*
10 *the routes as components of the Mormon Pioneer*
11 *National Historic Trail.*

12 “(B) *COVERED ROUTES.*—*The routes to be*
13 *studied under subparagraph (A) shall include the*
14 *following:*

15 “(i) *1846 Subsequent routes A and B*
16 *(Lucas and Clarke Counties, Iowa).*

17 “(ii) *1856–57 Handcart route (Iowa*
18 *City to Council Bluffs)*

19 “(iii) *Keokuk route (Iowa).*

20 “(iv) *1847 Alternative Elkhorn and*
21 *Loup River Crossings in Nebraska.*

22 “(v) *Fort Leavenworth Road; Ox Bow*
23 *route and alternates in Kansas and Mis-*
24 *souri (Oregon and California Trail routes*
25 *used by Mormon emigrants).*

1 “(vi) 1850 Golden Pass Road in Utah.

2 “(6) SHARED CALIFORNIA AND OREGON TRAIL
3 ROUTES.—

4 “(A) STUDY REQUIRED.—The Secretary of
5 the Interior shall undertake a study of the shared
6 routes of the California Trail and Oregon Trail
7 listed in subparagraph (B) and generally de-
8 picted on the map entitled ‘Western Emigrant
9 Trails 1830/1870’ and dated 1991/1993, and of
10 such other shared routes that the Secretary con-
11 siders appropriate, to determine the feasibility
12 and suitability of designation of one or more of
13 the routes as shared components of the California
14 National Historic Trail and the Oregon National
15 Historic Trail.

16 “(B) COVERED ROUTES.—The routes to be
17 studied under subparagraph (A) shall include the
18 following:

19 “(i) St. Joe Road.

20 “(ii) Council Bluffs Road.

21 “(iii) Sublette cutoff.

22 “(iv) Applegate route.

23 “(v) Old Fort Kearny Road (Oxbow
24 Trail).

25 “(vi) Childs cutoff.

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AN ACT

To amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails.

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