

Calendar No. 576

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

**H. R. 37**

**[Report No. 107-259]**

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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]

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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.

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 Plattsburgh 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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SEPTEMBER 9, 2002

Reported with an amendment