

**STATEMENT OF CHRISTINA GOLDFUSS, DEPUTY DIRECTOR,
CONGRESSIONAL AND EXTERNAL RELATIONS, NATIONAL PARK SERVICE,
DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON
NATIONAL PARKS, COMMITTEE ON ENERGY AND NATURAL RESOURCES,
CONCERNING S. 2346, TO AMEND THE NATIONAL TRAILS SYSTEM ACT TO
INCLUDE NATIONAL DISCOVERY TRAILS, AND TO DESIGNATE THE
AMERICAN DISCOVERY TRAIL, AND FOR OTHER PURPOSES.**

July 23, 2014

Mr. Chairman, thank you for the opportunity to appear before this committee to present the Department's views on S.2346, the National Discovery Trails Act of 2014.

The National Park Service, in accordance with P.L 102-461, conducted a study on the feasibility and desirability of adding the American Discovery Trail (ADT) to the National Trails System. This study, which was transmitted to Congress in 1998, found that the ADT could be appropriate for designation as a new class of national trails, separate from National Scenic Trails or National Historic Trails. Nevertheless, we recommend that the Committee defer action on S. 2346 until such time as private-sector partners are able to demonstrate the capacity to support such an endeavor, as well as the level of public backing necessary to ensure its continued success. Further, prior to supporting any proposal to amend the National Trails System Act to include any new category of trails, the National Park Service would recommend additional discussions between the NPS, the bill's sponsor, and advocates of the National Discovery Trail concept to clarify the purpose of National Discovery Trails and determine if the need for such trails could be met through an existing category of national trail.

Finally, we would propose several amendments to address concerns with language that could hinder effective management of the trail corridor, particularly the limitations on acquisition authority.

S. 2346 amends the National Trails System Act by adding "National Discovery Trails" as a new category of trail that may be designated as part of the Act and designates the American Discovery Trail as the first National Discovery Trail. The bill further amends the National Trails System Act by establishing the following criteria for National Discovery Trails: the trail must link one or more areas within the boundaries of a metropolitan area, and should connect to other trails; the trail must be supported by a competent trail-wide volunteer-based organization and have extensive local and trail-wide support by the public, user groups, and by affected State and local governments; and, the trail must pass through more than one state and be a continuous, walkable route. Further, the bill requires the appropriate Secretary to administer the trail in cooperation with a trail-wide volunteer based organization, and to develop a comprehensive management plan for the trail.

The ADT was proposed in 1990 as a continuous mid-continent, coast-to-coast trail to link metropolitan areas to the nation's major long-distance trails, as well as to shorter local and regional trails. In October 1992, through P.L. 102-461, Congress directed the Secretary of the

Interior to study the feasibility and desirability of adding the ADT to the National Trails System. This study was completed in December of 1995, and submitted to Congress in 1998. The over 6000-mile route of the ADT, as described in this legislation and mapped in the feasibility study, extends from Cape Henlopen State Park in Delaware to Point Reyes National Seashore in California. The ADT crosses the states of Nevada, Utah, Colorado, Nebraska, Kansas, Iowa, Missouri, Illinois, Indiana, Ohio, Kentucky, West Virginia, Maryland, and the District of Columbia.

The feasibility study team visited many parts of the trail's route, analyzed its purposes and goals as a stand-alone project and as an integral part of the National Trails System. Five purposes were identified that apply specifically to the ADT. These purposes were primarily based on the trail proponents' ideas and visions for the trail, and are as follows: provide a continuous coast-to-coast route for non-motorized users (e.g., hikers, bicyclists, equestrians); establish a marked route connecting representative examples of America's heritage; serve as an East-to-West spine, linking many major trails and strengthening the national network of trails; enable users to experience the spectrum of American landscapes; and create opportunities for people to meet, communicate with, and appreciate others from around America and the world.

The National Park Service study team developed the following three alternatives based on its findings:

- Alternative 1 examined the ADT as a potential National Scenic Trail.
- Alternative 2 recognized the unique characteristics of this trail and suggested a new category of trails within the National Trails System.
- Alternative 3 explored taking no Federal action.

S. 2346 is based on Alternative 2, a new category of long-distance trails.

Under Alternative 2, Congress would authorize the ADT as a National Discovery Trail – the first of its kind. Congress would need to amend the National Trails System Act to include National Discovery Trails as an additional class of trails in the National Trail System before the ADT could be authorized as a National Discovery Trail.

One of the primary reasons for proposing the establishment of National Discovery Trails would be to address a potential conflict with National Scenic Trails following roads. When the ADT was initially proposed, a guiding principle in identifying the trail's route was that it be located on public lands and rights-of-way to avoid the acquisition of private land. This meant that the proposed trail often was routed along roads. If it is authorized, long segments of the ADT will be on roads for the foreseeable future. However, the National Trails System Act specifically prohibits the use of motorized vehicles along National Scenic Trails. This new class of trails could be located along roadways, if necessary, to make the trails continuous. Unlike a National Scenic Trail, it would be acceptable – although not desirable – for a National Discovery Trail to have segments where there were no opportunities for an off-road, non-motorized, trail experience.

National Discovery Trails would have several other distinct features. Currently, there are no trails that are primarily intended to tie together existing trails and urban areas into the national network envisioned by the National Trails System Act. National Discovery Trails would be intended to link existing national, regional, and local trails into an integrated system, much like the way the interstate highway system functions. Similarly, these national trails would connect urban areas where most Americans live with rural and backcountry areas.

Notwithstanding the potential benefits of creating a new class of national trails and authorizing the ADT as the first National Discovery Trail, we have a number of outstanding questions about the new classification, and in particular, the proposed ADT.

Strong partnerships are vital to any national trail, and would be especially important in the structure envisioned by S. 2346. The Appalachian Trail was the model and impetus for the National Trails System. When that trail was established as a National Scenic Trail in 1968, it was well-supported by a vibrant nonprofit organization, the Appalachian Trail Conference, with thousands of members and decades of trail-building experience. For the National Park Service, helping protect and administer the Appalachian Trail from the beginning has been a mutual partnership, with both the conference and the service offering their skills and strengths to keep the trail viable and intact.

However, some of the trails subsequently established as part of the National Trails System have not had – and still do not have – strong partner organizations. In some cases, the Federal agency administering a trail has had to wait for such a group to get started or to assist in organizing it. Trail partnerships are essential to the well-being of the National Trails System. While S. 2346 endeavors to address this concern through a provision in the bill requiring that one of the criteria for establishing a National Discovery Trail is that there already exists at least one competent, volunteer-based organization for the proposed trail, backed up by extensive State and local public support, the NPS remains concerned that this provision may not prove sufficient to ensuring the capacity of the incoming partner organization. In the case of the ADT, the NPS is concerned that the trail does not currently meet the proposed threshold of competency and public support, and would recommend deferring action in designating it as a National Discovery Trail until such time as the ADT's private-sector partners are able to demonstrate the capacity to support such an endeavor.

Beyond specific questions about the ADT, the NPS would recommend that additional consideration be given to the purpose of introducing a new class of national trails, and the potential impact on existing national trails. As with any new designation, attention should be given to the justification, need, and demand for a new category of trails. The criteria and standards for determining if a particular trail is appropriate for designation should be very clearly defined. Further, if designated National Discovery Trails lack the capacity to ensure consistency and congruence with existing national trails, the public could be confused and the value of the National Trails System as a whole could be diminished.

Other successful models of partner-driven and community-based long distance routes, such as the East Coast Greenway – an entirely volunteer and community-supported long distance trail primarily dedicated to non-motorized routes traversing the numerous east coast states – could

potentially provide similar benefits, while addressing concerns of Federal involvement and placing control of trail development with local and State entities. The NPS would welcome the opportunity to work with the bill's sponsor, and advocates of the National Discovery Trail concept, to address these issues and offer support in developing a model that meets the needs of all the parties involved.

If the Committee moves forward on this bill, we would like to work with you on amendments to provide clarity and consistency. We are particularly concerned about language in two places where we believe State and local jurisdictions, which would have the primary responsibility for protecting and managing segments of National Discovery Trails, would be severely hampered in their ability to keep the trail open to the public and to provide recreational access by limiting land acquisition or appearing to limit rights-of-way.

Mr. Chairman, this concludes my testimony. I will be glad to answer any questions that you or other members of the subcommittee may have.