111TH CONGRESS 1ST SESSION

H. R. 3755

To amend the National Trails System Act to designate the route of the Smoky Hill Trail, an overland trail across the Great Plains during pioneer days in Kansas and Colorado, for study for potential addition to the national trails system.

IN THE HOUSE OF REPRESENTATIVES

October 7, 2009

Mr. Moran of Kansas introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the National Trails System Act to designate the route of the Smoky Hill Trail, an overland trail across the Great Plains during pioneer days in Kansas and Colorado, for study for potential addition to the national trails system.

- 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 "Smoky Hill National
- 5 Historic Trail Study Act".

1 SEC. 2. DESIGNATION OF TRAIL FOR STUDY.

2	Section 5(e) of the National Trails System Act (16
3	U.S.C. 1244(c)) is amended by adding at the end the fol-
4	lowing:
5	"() SMOKY HILL TRAIL.—The Smoky Hill
6	Trail, extending approximately 640 miles along the
7	route from Atchison and Leavenworth, Kansas, to
8	Denver, Colorado, which was an overland trail route
9	including all of it various branches, tributaries, and
10	connecting routes to the Santa Fe Trail, across the
11	Great Plains during pioneer days beginning in 1859
12	and ending with the arrival of the railroad in Denver
13	in 1870.".
14	SEC. 3. PRIVATE PROPERTY PROTECTIONS.
15	(a) Alternatives To Protect Private Prop-
16	ERTY.—In conducting the study required by the amend-
17	ment made by section 2, the Secretary shall not consider
18	any alternative that would—
19	(1) require any private property owner to allow
20	public access (including Federal, State, or local gov-
21	ernment access) to such private property;
22	(2) modify any provision of Federal, State, or
23	local law with regard to public access to or use of

25 (3) create any liability, or have any effect on 26 any liability under any other law, of any private

private property;

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- property owner with respect to any persons injured
 on such private property;
 - (4) modify the authority of Federal, State, or local governments to regulate land use;
- 5 (5) require the owner of any private property to 6 participate in or be associated with any addition to 7 the National Parks System;
- 8 (6) result in the reduction in value of property 9 held by a private property owner; or
- 10 (7) require or allow the Federal Government to 11 acquire lands, or interests therein, outside the exte-12 rior boundaries of any federally administered area, 13 except with the consent of the owner thereof.
- 14 (b) IMPACTS ON PRIVATE PROPERTY.—The study
 15 shall include an analysis and documentation regarding
 16 whether each alternative proposed has potential or actual
 17 impact on private property located within or abutting the
 18 trail area.

19 SEC. 4. PRIVATE PROPERTY OWNER NOTIFICATION.

Not less than 30 days before the Secretary of the In-21 terior begins the study required by the amendment made 22 by section 2, the Secretary shall notify all private property 23 owners whose land will be studied that the study will be 24 conducted.

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