

Committee on Natural Resources

Rob Bishop Chairman
Mark-Up Memorandum

April 13, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff – Terry Camp
Subcommittee on Federal Lands (x6-7736)

Mark-Up: **H.R. 1026 (Rep. Richard Nolan)**, To revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, and for other purposes.
April 18, 2018, at 10:15 AM; 1324 Longworth House Office Building

H.R. 1026, “North Country National Scenic Trail Route Adjustment Act”

Summary of the Bill

H.R. 1026, introduced by Representative Richard Nolan (D-MN-08), amends the National Trails System Act to reroute an existing portion of the North Country National Scenic Trail and to extend the Trail into Vermont.

Cosponsors

[36 Cosponsors](#)

Background

The North Country National Scenic Trail (NCT), established in 1980, is one of eleven designated National Scenic Trails administered by the National Park Service (NPS).¹ The trail links scenic, natural, historic, and cultural areas across seven states stretching from North Dakota to New York. At the time Congress authorized the NCT route, the length was estimated to be approximately 3,200 miles. However, modern digital measuring equipment indicates the actual mileage of the Trail will extend between 4,200 and 4,500 miles upon completion.² When completed, the Trail will be the longest continuous hiking trail in the United States.³

Although Congress authorized the NCT in 1980 and NPS finished a comprehensive management plan in 1982, significant portions of the Trail remain incomplete. In Minnesota, Trail partners feel that a portion of the currently authorized route is not feasible because it

¹ [National Scenic Trails](#), National Park Service.

² [North Country Trail FAOS Page](#), National Park Service.

³ [North Country Trail Information Page](#), National Park Service.

traverses approximately 93 miles of black spruce and tamarack swamp.⁴ Because of the location and difficult environmental conditions within the swamp, no portion of this section of the Trail has been constructed.

H.R. 1026 amends the National Trails System Act to revise the route of the NCT to go around the swamp and loop in 400 miles of existing trails, including the Superior Hiking, Border Route, and Kekekabic Trails. The North Country Trail community commonly refers to the proposed change as the “Arrowhead Reroute.” Although the reroute includes approximately 400 miles of existing trails, another 173 miles will need to be built to connect these trails to the authorized North Country Trail Route.⁵

In addition to the “Arrowhead Reroute,” H.R. 1026 also authorizes an extension of the North Country Trail route into Vermont. In the fall of 2009, NPS began a study of the potential extension of the NCT in Vermont. NPS approved the Feasibility Study Corridor Plan and Environmental Assessment for Addison County, Vermont, on December 16, 2013.⁶ The proposed extension adds approximately 66 miles to the NCT, including 40 existing trails. The addition would extend from the Trail’s current terminus near Crown Point, New York, east to a point to be determined along the Long Trail, a National Recreation Trail in Vermont. The Long Trail then connects to the Appalachian National Scenic Trail at Maine Junction, just east of Rutland, Vermont.

In rerouting and extending the NCT, concerns have been raised about additional federal land acquisition. Through Public Law 111-11, Congress authorized federal agencies to acquire lands or interests in lands for the NCT from willing sellers. Currently, NPS owns or leases only 50 miles of the authorized trail route, all of which are part of the Pictured Rocks National Lakeshore and the St. Croix National Scenic Riverway.⁷ Options for rerouting and expanding the Trail may include: 1) fee simple acquisition from willing sellers; 2) outright donation; and 3) easements and access agreements facilitated by partner organizations.

A Senate companion bill, S. 363, was introduced by Senator Amy Klobuchar (D-MN) and was favorably reported without amendment by the Committee on Energy and Natural Resources on June 8, 2017.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

⁴ [Statement of Victor Knox](#), Associate Director, Park Planning, Facilities, and Lands, National Park Service, Department of the Interior, before the Senate Subcommittee on National Parks, Committee on Energy and Natural Resources. June 10, 2015.

⁵ Ibid. at 4.

⁶ North Country National Scenic Trail Feasibility Study, Corridor Plan. National Park Service. 2013. <https://parkplanning.nps.gov/document.cfm?parkID=444&projectID=41864&documentID=56849>

⁷ [FAQ: HR 799 & S.403: North Country Trail National Scenic Trail Route Adjustment Act](#), North Country Trail Association

Administration Position

The Administration's position is currently unknown.

Anticipated Amendments

- Mr. McClintock will offer an amendment to protect private property rights by prohibiting the Secretary of Agriculture and the Secretary of the Interior from acquiring land for the Trail extension/realignment in Minnesota and Vermont that was obtained through condemnation by State or local governments. The amendment will also clarify that nothing in the Act shall prohibit the development, production, conveyance, or transmission of energy in these States.

Effect on Current Law (Ramseyer)