

119TH CONGRESS
1ST SESSION

S. _____

To enhance the preservation, maintenance, and management of national scenic trails, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. KAINE (for himself and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To enhance the preservation, maintenance, and management of national scenic trails, and for other purposes.

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 “Appalachian Trail Cen-
5 ennial Act”.

6 **SEC. 2. CONGRESSIONAL DECLARATION OF POLICY.**

7 Congress declares that—

8 (1) the large landscape conservation work relat-
9 ing to national scenic trails is built on partnership,
10 collaboration, and community engagement;

1 (2) national scenic trails—

2 (A) are landscape conservation tools;

3 (B) are more than trail treadways or
4 routes on land or water trails and routes, but
5 are also the means by which the values de-
6 scribed in section 3(a)(2) of the National Trails
7 System Act (16 U.S.C. 1242(a)(2)) are to be
8 conserved or protected;

9 (C) may include natural and physiographic
10 features, structures, and other natural or
11 human-made resources; and

12 (D) are congressionally designated routes
13 and areas that may include portions of non-
14 Federal land or water under the National Trails
15 System Act (16 U.S.C. 1241 et seq.);

16 (3) national scenic trails are intended to be de-
17 veloped and preserved over time, collaboratively and
18 cooperatively, to further the purposes of the Na-
19 tional Trails System Act (16 U.S.C. 1241 et seq.);

20 (4) the Appalachian National Scenic Trail, 1 of
21 the first 2 components of the National Trails Sys-
22 tem—

23 (A) is a realm of natural, scenic, historical,
24 and cultural wonder available to all; and

1 (B) is a model for cooperative management
2 and public-private partnership;

3 (5) the centennial of the Appalachian Trail
4 Conservancy, which was in 2025, provides an oppor-
5 tunity to strengthen the precepts of the cooperative
6 management model—

7 (A) pioneered on the Appalachian National
8 Scenic Trail; and

9 (B) to be replicated as appropriate
10 throughout the National Trails System;

11 (6) the development of the Appalachian Na-
12 tional Scenic Trail is in large part due to the efforts
13 of volunteer organizations (commonly referred to as
14 “Appalachian Trail Maintaining Clubs”) that—

15 (A) directly or through subdivisions or sub-
16 sidiary organizations, have coordinated the par-
17 ticipation of tens of thousands of volunteers for
18 the planning, construction, development, main-
19 tenance, operation, and stewardship of the Ap-
20 palachian National Scenic Trail, which inspired
21 the establishment of the National Trails Sys-
22 tem; and

23 (B) are the expert, dispersed corps of vol-
24 unteers who provide much of the day-to-day co-

1 operative operation of the Appalachian National
2 Scenic Trail;

3 (7) there are inherently governmental functions
4 referred to in the National Trails System Act (16
5 U.S.C. 1241 et seq.) relating to the administration
6 of national scenic trails, which are distinct from the
7 management and operation of those trails;

8 (8) the Federal Government is responsible for—

9 (A) the administration of national scenic
10 trails; and

11 (B) in cases in which the United States is
12 the landowner, the management of national sce-
13 nic trails;

14 (9) volunteers, volunteer organizations, and
15 other cooperating individuals or entities are empow-
16 ered and authorized under the National Trails Sys-
17 tem Act (16 U.S.C. 1241 et seq.) to undertake non-
18 inherently governmental and delegable roles in the
19 management and operation of national scenic trails;

20 (10) the operation of a national scenic trail
21 does not require land management authority over
22 the land on which the national scenic trail is located;
23 and

24 (11) it is the policy of the Federal Government
25 that national scenic trails—

1 (A) are conservation and historic preserva-
2 tion entities managed, operated, and developed
3 in partnership with governmental and non-
4 governmental entities; and

5 (B) while administered by Federal agen-
6 cies, are intended to be cooperatively developed
7 with appropriate non-Federal governmental and
8 nongovernmental partners.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) ADMINISTRATION.—The term “administra-
12 tion”, with respect to a covered trail, means the
13 roles and responsibilities of the Secretary concerned
14 with respect to the covered trail that may not be
15 shared with any other individual or entity.

16 (2) COMPREHENSIVE PLAN.—The term “com-
17 prehensive plan” means a comprehensive plan for a
18 covered trail submitted under section 5(e) of the Na-
19 tional Trails System Act (16 U.S.C. 1244(e)).

20 (3) COOPERATIVE MANAGEMENT.—The term
21 “cooperative management”, with respect to a cov-
22 ered trail, means the negotiated division of roles and
23 responsibilities relating to the stewardship and devel-
24 opment of the covered trail that are—

25 (A) permissible under law; and

1 (B) within the categories of—

2 (i) administration;

3 (ii) management; and

4 (iii) operation.

5 (4) COOPERATIVE MANAGEMENT SYSTEM.—The
6 term “cooperative management system”, with re-
7 spect to a covered trail, means the negotiated man-
8 agement structure for cooperative management of
9 the covered trail, including—

10 (A) Federal and State trust resource man-
11 agers;

12 (B) Tribal governments;

13 (C) nongovernmental organizations; and

14 (D) volunteers organized by entities de-
15 scribed in subparagraphs (A) through (C).

16 (5) COVERED TRAIL.—The term “covered trail”
17 means a national scenic trail designated by section
18 5(a) of the National Trails System Act (16 U.S.C.
19 1244(a)).

20 (6) DESIGNATED OPERATIONAL PARTNER.—
21 The term “Designated Operational Partner”, with
22 respect to a covered trail, means the 1 or more enti-
23 ties designated for the covered trail under section
24 4(b)(1)(A).

1 (7) GATEWAY COMMUNITY.—The term “gate-
2 way community” means a community—

3 (A) that serves as an entry point, or is ad-
4 jacent, to a recreation destination for a covered
5 trail at which there is consistently high, in the
6 determination of the Secretary concerned, sea-
7 sonal or year-round visitation; or

8 (B) that seeks to affirmatively align itself
9 with a covered trail to support the management
10 or resource health of the covered trail.

11 (8) LANDSCAPE CONSERVATION.—The term
12 “landscape conservation”, with respect to a covered
13 trail, means an approach to conservation that brings
14 people together across geographies, sectors, and cul-
15 tures to collaborate on conserving important areas of
16 the covered trail and the myriad ecological, cultural,
17 and economic benefits the covered trail possesses.

18 (9) MANAGEMENT.—The term “management”,
19 with respect to a covered trail, means the roles and
20 responsibilities under applicable law of the owner of
21 the land, or any interest in land, on which the cov-
22 ered trail is located with respect to the covered trail.

23 (10) OPERATION.—

1 (A) IN GENERAL.—The term “operation”,
2 with respect to a covered trail, means any activ-
3 ity permissible under law that—

4 (i) is carried out pursuant to a coop-
5 erative agreement on land on which the
6 covered trail is located;

7 (ii) is not an activity of administra-
8 tion; and

9 (iii) does not infringe on any manage-
10 ment or ownership authority of the appli-
11 cable land manager, if the land manager is
12 not the individual or entity carrying out
13 the activity.

14 (B) INCLUSIONS.—The term “operation”
15 includes—

16 (i) the identification and acquisition of
17 land for a covered trail;

18 (ii) the planning, construction, and
19 maintenance of a facility or other improve-
20 ment on, across, or along a covered trail;

21 (iii) the provision of services for a cov-
22 ered trail;

23 (iv) the conceptual development of a
24 covered trail;

1 (v) the construction and maintenance
2 of treadway for a covered trail;

3 (vi) conducting a research project re-
4 lating to a covered trail;

5 (vii) the provision to volunteers of
6 education and training relating to methods
7 of planning for, construction of, and main-
8 tenance of a covered trail; and

9 (viii) the conservation of natural, cul-
10 tural, or other resources associated with a
11 covered trail.

12 (11) PROPOSED PRIORITY LIST.—The term
13 “proposed priority list” means a proposed priority
14 list for a covered trail developed under section
15 4(b)(3)(A)(ii).

16 (12) SECRETARY.—The term “Secretary”
17 means the Secretary of the Interior.

18 (13) SECRETARY CONCERNED.—The term
19 “Secretary concerned” means—

20 (A) the Secretary, with respect to a cov-
21 ered trail administered by the Secretary; and

22 (B) the Secretary of Agriculture, with re-
23 spect to a covered trail administered by the
24 Secretary of Agriculture.

1 (14) VISITOR CAPACITY.—The term “visitor ca-
2 pacity” means, with respect to a covered trail, the
3 maximum number and types of visitor use that the
4 covered trail can accommodate while achieving and
5 maintaining the desired resource conditions and vis-
6 itor experiences that are consistent with the pur-
7 poses for which the covered trail was established,
8 which may vary for different segments of a covered
9 trail.

10 (15) VOLUNTEER ORGANIZATION.—The term
11 “volunteer organization” means any organization
12 providing operation or management support to a
13 covered trail administrator or land manager, includ-
14 ing by organizing volunteers pursuant to a valid co-
15 operative agreement.

16 **SEC. 4. STRENGTHENING ADMINISTRATION, MANAGEMENT,**
17 **AND OPERATION FOR NATIONAL SCENIC**
18 **TRAILS.**

19 (a) STATUS.—Each covered trail shall be—

20 (1) a component of the National Trails System;
21 and

22 (2)(A) a unit of the National Park System, if
23 administered or co-administered by the National
24 Park Service;

1 (B) a congressionally designated area, if admin-
2 istered by the Secretary of Agriculture or located
3 within land managed by the Chief of the Forest
4 Service; or

5 (C) a congressionally designated area included
6 within the National Landscape Conservation System
7 established by section 2002(a) of the Omnibus Pub-
8 lic Land Management Act of 2009 (16 U.S.C.
9 7202(a)), if administered by, or located within public
10 land managed by the Director of the Bureau of
11 Land Management.

12 (b) OPERATION.—

13 (1) DESIGNATED OPERATIONAL PARTNERS.—

14 (A) IN GENERAL.—A Designated Oper-
15 ational Partner for a covered trail shall be au-
16 thorized and designated only by an Act of Con-
17 gress.

18 (B) PURPOSES.—The purposes of Des-
19 ignated Operational Partners are—

20 (i) to be the most trusted partners for
21 the applicable covered trail, reflecting an
22 exceptional commitment to, and capacity
23 for, supporting the Secretary concerned
24 with respect to the covered trail; and

1 (ii) to be capable of supporting the
2 partnership nature of the covered trail as
3 a mechanism for conservation, volunteer
4 mobilization, land management, historic
5 preservation, assisting agency planning,
6 and to advance the nature and purposes of
7 the covered trail.

8 (C) QUALIFICATIONS.—An entity shall be
9 considered capable of meeting the requirements
10 for a Designated Operational Partner described
11 in subparagraph (B)(ii) if the entity meets the
12 following qualifications:

13 (i) The entity is described in section
14 501(c) of the Internal Revenue Code of
15 1986 and exempt from tax under section
16 501(a) of that Code.

17 (ii) The entity has demonstrated expe-
18 rience in the operation, maintenance, and
19 preservation of the resources of the covered
20 trail, regardless of whether the experience
21 was before or after the designation of the
22 covered trail under the National Trails
23 System Act (16 U.S.C. 1241 et seq.).

24 (iii) The entity has a plan for pro-
25 viding, facilitating, and coordinating the

1 services of volunteers to contribute to the
2 stewardship of the covered trail.

3 (iv) The entity has a record, including
4 through a predecessor organization, of en-
5 gagement with the establishment, manage-
6 ment, maintenance, or operation of the
7 covered trail.

8 (v) The entity adheres to reasonable
9 financial, accounting, and risk manage-
10 ment practices.

11 (vi) The entity adheres to applicable
12 requirements of Federal agreements,
13 grants, and contracts.

14 (vii) The entity would not supplant an
15 organization already serving a substantial
16 operational role trail-wide for the covered
17 trail or across a significant portion of the
18 covered trail, unless the Secretary con-
19 cerned has determined that the organiza-
20 tion being supplanted has failed to perform
21 the responsibilities of the organization
22 under a management agreement with re-
23 spect to the covered trail.

24 (D) STATUS.—

1 (i) IN GENERAL.—An entity des-
2 ignated as a Designated Operational Part-
3 ner under subparagraph (A) shall be con-
4 sidered to possess unique expertise, loca-
5 tional capacity, cost-sharing ability, or
6 other unique qualities relevant to the des-
7 ignation as a Designated Operational Part-
8 ner for the covered trail.

9 (ii) NO COMPETITIVE PROCESS.—An
10 eligible entity designated as a Designated
11 Operational Partner under subparagraph
12 (A) may be a direct beneficiary or recipient
13 of appropriated funds to support a covered
14 trail without competition.

15 (iii) PRESENT-FUNDED ACTIVITY.—
16 Designation of a Designated Operational
17 Partner for a covered trail shall be consid-
18 ered to be a continuation or completion of
19 a present-funded activity.

20 (E) DESIGNATION OF DESIGNATED OPER-
21 ATIONAL PARTNER FOR THE APPALACHIAN NA-
22 TIONAL SCENIC TRAIL.—The Appalachian Trail
23 Conservancy shall be the Designated Oper-
24 ational Partner for the Appalachian National
25 Scenic Trail.

1 (2) PROTECTION OF PROPERTY RIGHTS.—

2 (A) IN GENERAL.—If the Designated
3 Operational Partner for a covered trail becomes
4 aware of an allegation of trespass or other in-
5 fringement or violation of a property right held
6 by the Federal Government that adversely af-
7 fects the identified cultural, natural, scenic, rec-
8 reational, or historical resources of the covered
9 trail, the Designated Operational Partner may
10 submit to the Secretary concerned and the
11 United States Attorney for the Federal district
12 court in which the alleged violation occurred a
13 written request—

14 (i) to investigate the allegation; and
15 (ii) to enforce the rights of the United
16 States by preventing, reducing, mitigating,
17 or remediating the adverse effects of the
18 alleged violation.

19 (B) NOTICE.—

20 (i) IN GENERAL.—A request under
21 subparagraph (A) shall include, to the
22 maximum extent practicable, detailed in-
23 formation relating to the alleged trespass,
24 infringement, or violation, including—

1 (I) the nature, location, duration,
2 and known identity of any alleged of-
3 fender;

4 (II) any efforts carried out to ad-
5 dress the alleged violation;

6 (III) any impacts of the alleged
7 violation on the applicable covered
8 trail or resources of the covered trail;
9 and

10 (IV) any requested remedy.

11 (ii) SUBMISSION REQUIREMENTS.—A
12 request under subparagraph (A) shall be—

13 (I) submitted to the Secretary
14 concerned and appropriate United
15 States Attorney by—

16 (aa) electronic means; or

17 (bb) delivery to the address
18 on file for official correspondence;

19 and

20 (II) clearly identified as a “Des-
21 ignated Operational Partner Request
22 for Redress”.

23 (iii) SIGNATURES.—A request under
24 subparagraph (A) may be signed by—

1 (I) the applicable Designated
2 Operational Partner; and

3 (II) any other individual or entity
4 that is a part of the cooperative man-
5 agement system of the applicable cov-
6 ered trail.

7 (C) RESPONSE.—

8 (i) ASSESSMENT.—Not later than 60
9 days after the date on which a request is
10 submitted under subparagraph (A), the
11 Secretary shall submit to the United
12 States Attorney for the Federal district
13 court in which the applicable alleged tres-
14 pass, infringement, or violation occurred
15 and the Designated Operational Partner
16 an assessment of the alleged violation.

17 (ii) ADDITIONAL INFORMATION FROM
18 DESIGNATED OPERATIONAL PARTNER.—
19 Not later than 30 days after the date on
20 which the Designated Operational Partner
21 receives an assessment under clause (i),
22 the Designated Operational Partner may
23 provide to the Secretary concerned and the
24 relevant United States Attorney additional

1 information relating to the alleged viola-
2 tion.

3 (iii) RESPONSE FROM UNITED STATES
4 ATTORNEY.—Not later than 150 days after
5 the date on which a request is submitted
6 to a United States Attorney under sub-
7 paragraph (A), and not later than 60 days
8 after the date on which a Designated
9 Operational Partner provides additional in-
10 formation under clause (ii) to the United
11 States Attorney, if applicable, the United
12 States Attorney shall submit to the Sec-
13 retary concerned and the Designated Oper-
14 ational Partner information regarding
15 whether the United States Attorney is pur-
16 suing redress for the alleged violation.

17 (D) LITIGATION COSTS.—In issuing any
18 final order with respect to a petition brought
19 under this subsection, the relevant Federal dis-
20 trict court may award to a Designated Oper-
21 ational Partner the costs of petitioning (includ-
22 ing reasonable attorney and expert witness fees)
23 if the Secretary or United States Attorney
24 takes action to address the alleged violation of
25 the rights of the United States.

1 (E) EFFECT.—Nothing in this para-
2 graph—

3 (i) limits any cause of action that the
4 Federal Government may have under any
5 other law;

6 (ii) obligates—

7 (I) a Designated Operational
8 Partner to participate, or to present
9 claims or defenses, in any civil action
10 relating to the property rights of the
11 Federal Government; or

12 (II) the Federal Government to
13 participate, or to present claims or de-
14 fenses, in any civil action relating to
15 the property rights of the Designated
16 Operational Partner; or

17 (iii) makes—

18 (I) a Designated Operational
19 Partner a necessary party in any ac-
20 tion relating to the property rights of
21 the Federal Government; or

22 (II) the Federal Government a
23 necessary party in any action relating
24 to the property rights of the Des-
25 ignated Operational Partner.

1 (3) LAND AND RESOURCE PROTECTION PRO-
2 POSED PRIORITY LISTS.—

3 (A) FINDING; AUTHORIZATION.—

4 (i) FINDING.—Congress finds that
5 collaborative partnerships convened by the
6 Secretary concerned and a Designated
7 Operational Partner for a covered trail are
8 encouraged to advance land and resource
9 protection of the covered trail.

10 (ii) AUTHORIZATION.—Each Des-
11 ignated Operational Partner may collabo-
12 rate with the Secretary concerned and land
13 managers for the covered trail to periodi-
14 cally develop proposed priority lists for
15 land and resource protection (including
16 historic preservation) for the applicable
17 covered trail.

18 (B) APPLICABLE LAW.—

19 (i) IN GENERAL.—A proposed priority
20 list shall be considered to advance the
21 planning and development of the applicable
22 covered trail in accordance with section
23 2(c) of the National Trails System Act (16
24 U.S.C. 1241(c)).

25 (ii) EFFECT.—Nothing in this Act—

1 (I) conveys any land protection
2 authority not included in the National
3 Trails System Act (16 U.S.C. 1241 et
4 seq.); or

5 (II) prioritizes the use of funds
6 for land protection projects on covered
7 trails over funds for other land protec-
8 tion projects.

9 (C) REPORTS.—Not less frequently than
10 once every 5 years, the Secretaries concerned
11 shall submit to Congress a report that describes
12 any progress or lack of progress of the Secre-
13 taries concerned with respect to advancing land
14 and resource conservation objectives under pro-
15 posed priority lists.

16 (4) CONCURRENCE WITH RESPECT TO COM-
17 PREHENSIVE PLANS.—

18 (A) IN GENERAL.—Notwithstanding sec-
19 tion 5(e) of the National Trails System Act (16
20 U.S.C. 1244(e)), a Designated Operational
21 Partner may concur or not concur with respect
22 to—

23 (i) a proposed comprehensive plan for
24 the applicable covered trail; and

1 (ii) any amendments or revisions to
2 the comprehensive plan for the applicable
3 covered trail (other than an addendum to
4 a comprehensive plan for the applicable
5 covered trail prepared in accordance with
6 the process established under subsection
7 (g)(5)).

8 (B) REPORT.—If the Secretary submits to
9 Congress a comprehensive plan or amendment
10 or revision to a comprehensive plan for which
11 the concurrence of a Designated Operational
12 Partner was not provided under subparagraph
13 (A), the Secretary concerned shall, along with
14 the comprehensive plan or amendment or revision
15 to the comprehensive plan, submit to the
16 Committee on Energy and Natural Resources of
17 the Senate and the Committee on Natural Resources
18 of the House of Representatives an explanation
19 of why the comprehensive plan or
20 amendment or revision was submitted by the
21 Secretary concerned absent the concurrence of
22 the Designated Operational Partner.

23 (5) SURPLUS PERSONAL PROPERTY.—

24 (A) IN GENERAL.—Notwithstanding sub-
25 chapter III of chapter 5 of title 40, United

1 States Code, a Federal agency may dispose of
2 surplus personal property by transferring the
3 property to a Designated Operational Partner,
4 to be used by the Designated Operational Part-
5 ner for purposes of carrying out a cooperative
6 agreement entered into under section 7(h) of
7 the National Trails System Act (16 U.S.C.
8 1246(h)).

9 (B) PROHIBITION.—A transfer of surplus
10 personal property under subparagraph (A) shall
11 be subject to the condition that the Designated
12 Operational Partner to whom the property is
13 transferred (including any subsidiary or sub-
14 division of the Designated Operational Partner)
15 may not—

16 (i) use the transferred property for
17 purposes other than carrying out the du-
18 ties and authorities of the Designated
19 Operational Partner under the cooperative
20 agreement; or

21 (ii) transfer the transferred property
22 to a recipient that is not a part of the co-
23 operative management system of the cov-
24 ered trail.

25 (c) MANAGEMENT.—

1 (1) FINDING.—Congress finds that the manage-
2 ment of land and water constituting a covered trail
3 is essential to the proper management of the covered
4 trail.

5 (2) MANAGEMENT AREAS.—Not later than 5
6 years after the date of enactment of this Act, each
7 Federal land manager for a federally administered
8 area on which a covered trail is located shall adopt
9 and include in the applicable maps and management
10 plans for the federally administered area clearly de-
11 lineated management areas of sufficient width to
12 protect any natural, scenic, historic, or cultural val-
13 ues of the applicable covered trail.

14 (3) EFFECT.—Nothing in this Act or the Na-
15 tional Trails System Act (16 U.S.C. 1241 et seq.)—

16 (A) provides any authority to a Designated
17 Operational Partner, other volunteer organiza-
18 tion, volunteer, or other individual or entity any
19 authority to issue, amend, or revoke any land
20 use authorization unless provided for explicitly
21 by statute;

22 (B) except as specifically provided in this
23 Act or the National Trails System Act (16
24 U.S.C. 1241 et seq.), removes or transfers any
25 authority otherwise provided by law; or

1 (C) except as authorized by the processes
2 established under this Act or the National
3 Trails System Act (16 U.S.C. 1241 et seq.),
4 provides any Designated Operational Partner,
5 other volunteer organization, volunteer, or any
6 other individual or entity authority over the
7 property, holdings, or possessory or other inter-
8 est of any other partner to a covered trail.

9 (d) ADMINISTRATION.—

10 (1) IN GENERAL.—In making administration,
11 management, or operational decisions that would im-
12 pact the ability of volunteers or a volunteer organi-
13 zation to serve a substantial role on covered trails,
14 the Secretary concerned shall—

15 (A) rather than presuming absolute control
16 over the covered trail by the Federal Govern-
17 ment, encourage the participation of volunteers
18 and volunteer organizations;

19 (B) to the extent practicable, remedy con-
20 straints on supporting the role of volunteers
21 and volunteer organizations on covered trails;
22 and

23 (C) appropriately organize and equip cov-
24 ered trails with necessary resources and staffing
25 to advance partnerships and support the nature

1 and purposes of covered trails through Des-
2 ignated Operational Partners, volunteer organi-
3 zations, partner agencies, federally recognized
4 Indian Tribes, and other entities and institu-
5 tions as the Secretary concerned determines ap-
6 propriate.

7 (2) REGULATIONS.—The Secretary and the
8 Secretary of Agriculture may use the rulemaking au-
9 thority of section 7(i) of the National Trails System
10 Act (16 U.S.C. 1246(i)), the Federal Lands Recre-
11 ation Enhancement Act (16 U.S.C. 6801 et seq.),
12 and any other applicable law to establish, by regula-
13 tion, a fee collection and distribution system under
14 which the administrator of a covered trail may col-
15 lect all permits and fees levied by federally adminis-
16 tered areas and State-administered areas traversed
17 by a covered trail, to be remitted to the applicable
18 federally administered area or State-administered
19 area levying the permits and fees.

20 (3) APPLICABLE LAW.—Chapter 10 of title 5,
21 United States Code, shall not apply to the coopera-
22 tive management of a covered trail.

23 (e) AVAILABILITY OF FUNDS.—

24 (1) IN GENERAL.—A covered trail shall be eligi-
25 ble for funds made available for—

1 (A) a component of the National Trails
2 System;

3 (B) any federally administered area to
4 which the covered trail is assigned for adminis-
5 tration or management;

6 (C) any federally administered area tra-
7 versed by the covered trail; and

8 (D) historic preservation or conservation
9 by private or State entities partnered with the
10 Secretary concerned in support of the covered
11 trail.

12 (2) MULTIPLE AGENCIES.—The location of a
13 covered trail on or along land managed by 1 Federal
14 agency shall have no impact on the eligibility of the
15 covered trail for funding for any project, planning,
16 volunteer or visitor support effort, or any other com-
17 ponent of administering a covered trail by any other
18 Federal agency.

19 (3) PARTNERSHIPS.—The Secretary concerned
20 shall use interagency and intergovernmental partner-
21 ships to ensure the maximum recreational, conserva-
22 tion, and historic preservation potential of a covered
23 trail is achieved.

24 (f) COOPERATIVE AGREEMENTS.—A cooperative
25 agreement under the National Trails System Act (16

1 U.S.C. 1241 et seq.) may be entered into by the Secretary
2 concerned and 1 or more volunteer organization partners
3 for a term of not longer than 20 years under which—

4 (1) the Secretary concerned shall delegate to
5 the volunteer organization partners the authority to
6 operate the covered trail (including the provision of
7 financial assistance for such purpose);

8 (2) operational and management responsibilities
9 with respect to the covered trail shall be shared be-
10 tween the Secretary concerned and volunteer organi-
11 zation partners, including subsidiaries or delegees of
12 the volunteer organization partners; or

13 (3) any other appropriate arrangement between
14 the Secretary concerned and the volunteer organiza-
15 tion partners authorized by the National Trails Sys-
16 tem Act (16 U.S.C. 1241 et seq.) shall be carried
17 out, including the transfer of financial assistance or
18 services to the Secretary concerned.

19 (g) COMPREHENSIVE PLANS.—

20 (1) FINDING.—Congress finds that a com-
21 prehensive plan for a covered trail is a mandatory
22 management and planning direction for any federally
23 administered areas containing a covered trail or
24 inventoried natural, scenic, historic, or cultural val-
25 ues contributing to the covered trail.

1 (2) REQUIREMENTS.—The applicable com-
2 prehensive plan—

3 (A) shall be incorporated into the manage-
4 ment of each federally administered area tra-
5 versed by the covered trail; and

6 (B) should be appropriately considered by
7 State-administered areas that are traversed by
8 a covered trail.

9 (3) EFFECT; UPDATES.—The adoption of the
10 applicable comprehensive plan shall not by itself re-
11 quire applicable general management plans, land
12 and resource management plans, resource manage-
13 ment plans, or other such management and planning
14 documents to be updated, but not later than 5 years
15 after the date of enactment of this Act, such plans
16 shall be updated or amended to include sufficient di-
17 rection to protect and manage any applicable cov-
18 ered trail.

19 (4) INCORPORATION.—In updating a general
20 management plan or similar plan applicable to a fed-
21 erally administered area traversed by a covered trail
22 or containing the values for which the covered trail
23 was designated, the Secretary concerned shall incor-
24 porate the requirements of any applicable com-
25 prehensive plan.

1 (5) RULEMAKING.—

2 (A) IN GENERAL.—The Secretary con-
3 cerned shall use the rulemaking authority of
4 section 7(i) of the National Trails System Act
5 (16 U.S.C. 1246(i)) to establish, by regulation,
6 a process for addenda to comprehensive plans,
7 as appropriate, to address location- or topic-
8 specific administration, management, or oper-
9 ation issues.

10 (B) REQUIREMENT.—The process estab-
11 lished under subparagraph (A) shall require
12 that any addendum to a comprehensive plan
13 shall be developed after consultation with the
14 applicable land manager and Designated Oper-
15 ational Partner, as applicable.

16 (6) VISITOR CAPACITY.—For a covered trail
17 that is subject to section 5(e) of the National Trails
18 System Act (16 U.S.C. 1244(e)), the applicable com-
19 prehensive plan shall ensure that the carrying capac-
20 ity requirement for the covered trail is determined
21 based on visitor capacities for targeted sites, trail
22 segments, or areas of the covered trail.

1 **SEC. 5. IMPROVING COVERED TRAIL PLANNING AND DE-**
2 **VELOPMENT.**

3 (a) VISITOR CAPACITY.—A determination by the Sec-
4 retary concerned of the visitor capacity of a covered trail
5 that is subject to section 5(e) of the National Trails Sys-
6 tem Act (16 U.S.C. 1244(e)) shall be—

7 (1) based on the desired conditions of the spe-
8 cific portion or segment of a covered trail rather
9 than the entire covered trail; and

10 (2) in accordance with applicable laws and
11 agency policies, including the applicable comprehen-
12 sive plan.

13 (b) ECONOMIC IMPACT ASSESSMENT.—

14 (1) IN GENERAL.—The Secretary and the Sec-
15 retary of Agriculture shall—

16 (A) not later than 5 years after the date
17 of enactment of this Act, identify 1 or more
18 methods to assess the economic impact of cov-
19 ered trails on gateway communities;

20 (B) not less frequently than once every 5
21 years thereafter, publish the economic impact of
22 identified covered trails on gateway commu-
23 nities associated with a covered trail; and

24 (C) on the request of a Designated Oper-
25 ational Partner for a covered trail, publish the

1 economic impact of the applicable covered trail
2 on gateway communities.

3 (2) REQUIREMENTS.—In identifying methods
4 under paragraph (1)(A), the Secretary and the Sec-
5 retary of Agriculture shall, to the maximum extent
6 practicable—

7 (A) aggregate and extrapolate economic
8 impact information from existing data, such as
9 data from land units on which covered trails are
10 located;

11 (B) use State and county economic impact
12 information;

13 (C) partner with State and local govern-
14 ments; and

15 (D) leverage the cooperative management
16 systems of the covered trails and local and land-
17 scape-wide partnerships to obtain and process
18 relevant information and report any relevant
19 findings.

20 (3) ADDITIONAL FUNDS.—Amounts made avail-
21 able to identify and assess the economic impact of
22 a covered trail on gateway communities under this
23 subsection shall be in addition to, and shall not sup-
24 plant, amounts available for the administration,
25 management, or operation of the covered trail.

1 (c) ADVANCING COVERED TRAIL PLANNING.—

2 (1) FINDINGS.—Congress finds that—

3 (A) the designation of a covered trail is the
4 onset of the long-term development and plan-
5 ning for the covered trail, rather than the con-
6 clusion of those activities; and

7 (B) the cultivation of partnerships, the ac-
8 quisition of land, including interests in land and
9 land use agreements, the conduct of accessible
10 and inclusive interpretation, and the develop-
11 ment of recreational facilities, as appropriate
12 for covered trails, are needed to advance the
13 purposes of the National Trails System Act (16
14 U.S.C. 1241 et seq.) to meet the ever-expand-
15 ing outdoor recreation needs of the United
16 States.

17 (2) REPORTS.—The Secretary and the Sec-
18 retary of Agriculture, acting jointly, shall submit to
19 the Committee on Energy and Natural Resources of
20 the Senate and the Committee on Natural Resources
21 of the House of Representatives—

22 (A) not later than 5 years after the date
23 of enactment of this Act, a report that describes
24 the successes and challenges in developing and
25 planning covered trails, including the adoption

1 of management areas in federally administered
2 areas traversed by, or containing the congres-
3 sionally identified values of, the covered trail in
4 accordance with subsections (c)(2) and (g) of
5 section 4; and

6 (B) not later than 10 years after the date
7 of enactment of this Act, a report that assesses
8 the desired conditions and use of facilities on
9 each covered trail with respect to—

10 (i) visitor usage of specific segments
11 or sites of the covered trail, including the
12 extent to which visitors use the covered
13 trail in groups of not fewer than 10 indi-
14 viduals;

15 (ii) proposed priority segments or
16 sites for additional facilities or protection
17 of additional land or resources identified
18 by relevant cooperative management part-
19 ners; and

20 (iii) any activities that the Secretary
21 and the Secretary of Agriculture determine
22 are necessary to advance the development
23 of and planning for the covered trail con-
24 sistent with the partnership nature of cov-
25 ered trails.

1 (3) COMMUNITY ENGAGEMENT.—In preparing
2 the reports under paragraph (2), the Secretary and
3 the Secretary of Agriculture shall consult with—

4 (A) communities located in the vicinity of
5 the proposed segments and sites described in
6 paragraph (2)(B)(ii);

7 (B) federally recognized Indian Tribes;

8 (C) any Federal and State agencies that
9 manage land traversed by covered trails; and

10 (D) Designated Operational Partners and
11 other cooperative management partners of cov-
12 ered trails.

13 (4) ADDITIONAL FUNDS.—Amounts made avail-
14 able to identify and assess the further development
15 of covered trails under this subsection shall be in ad-
16 dition to, and shall not supplant, amounts available
17 for the administration, management, or operation of
18 the covered trail.

19 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to the Sec-
21 retary and the Secretary of Agriculture such sums as are
22 necessary to carry out this Act.