

Subcommittee on Federal Lands
Tom McClintock, Chairman
Hearing Memorandum

November 28, 2016

To: All Subcommittee on Federal Lands Members

From: Majority Committee Staff – Terry Camp
Subcommittee on Federal Lands (x 6-7736)

Hearing: Legislative hearing on H.R. 799 (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.*
November 30, 2016 at 10:00 AM; 1324 Longworth HOB.

H.R. 799, “North Country National Scenic Trail Route Adjustment Act”

Bill Summary

H.R. 799, introduced by Congressman 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

[34](#)

Invited Witnesses

Panel I

The Honorable Richard Nolan (D-MN-08)

Panel II

Mr. Glenn Casamassa
Associate Deputy Chief
U.S. Forest Service
Washington, DC

Dr. Stephanie S. Toothman
Associate Director, Cultural Resources, Partnerships, and Science
National Park Service
Washington, D.C.

Background

The North Country National Scenic Trail (NCT), established in 1980, is one of six 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 the 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 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. 799 amends section 5(a)(8) of 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 Route.⁵

In addition to the “Arrowhead Reroute,” H.R. 799 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. 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.

¹ [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.

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

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

⁴ Ibid. 1

⁵ Ibid. 1

In rerouting and extending the NCT, concerns have been raised about additional federal land acquisition. In 2009, though Public Law 111-11, the Omnibus Public Land Management Act of 2009, Congress provided authority for 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.⁶ 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. Additionally, though NPS does not have authority to condemn land for inclusion in the NCT, NPS provides grants to States that may not have the same limitations on property acquisitions.

Finally, concerns have also been raised about regulatory hurdles to energy projects, new or expanded transmission line corridors, and communication infrastructure that may arise through rerouting and extending the NCT. Permitting for these types of projects is frequently opposed by trail advocacy groups and projects are often delayed by lawsuits.

Administration Position

The Administration's position on H.R. 799 is unknown at this time, however the National Park Service testified in support of companion legislation introduced in the Senate as S. 403 by Senator Amy Klobuchar.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill. However, a CBO cost estimate provided for a companion bill, S. 403, estimated the cost to be about \$5 million over the 2016-2020 period.⁷

Effect on Current Law (Ramseyer):

http://naturalresources.house.gov/UploadedFiles/Ramseyer_for_HR_799.pdf

⁶ [FAQ: HR 799 & S.403: North Country Trail National Scenic Trail Route Adjustment Act](#), North Country Trail Association

⁷ [CBO Cost Estimate, S. 403, North Country National Scenic Trail Route Adjustment Act](#). August 18, 2015.