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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To direct the Secretary of Agriculture to prioritize the completion of the Continental Divide National Scenic Trail, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. NEGUSE introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Secretary of Agriculture to prioritize the completion of the Continental Divide National Scenic Trail, 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 “Continental Divide
5 Trail Completion Act”.

6 **SEC. 2. CONTINENTAL DIVIDE NATIONAL SCENIC TRAIL.**

7 (a) COMPLETION OF TRAIL.—Not later than Novem-
8 ber 10, 2028, the Secretary shall substantially complete

1 the land acquisition program necessary to ensure the pro-
2 tection of the Continental Divide National Scenic Trail,
3 consistent with sections 3(a)(2) and 5(a)(5) of the Na-
4 tional Trails System Act (16 U.S.C. 1242 (a)(2) and 16
5 U.S.C. 1244(a)(5)). The Secretaries of Agriculture and
6 the Interior shall use Land and Water Conservation Fund
7 authorities and appropriations towards acquiring and con-
8 structing this optimal route. The Secretaries shall take
9 necessary actions to achieve this goal, including but not
10 limited to the following steps, listed in order of priority:

11 (1) Complete the Continental Divide National
12 Scenic Trail by acquiring land as necessary to elimi-
13 nate gaps between sections of the Trail and secure
14 corridors compatible with the nature and purposes of
15 the Trail.

16 (2) Optimize the Trail by relocating existing
17 portions of the Trail on Federal land as necessary
18 to maximize conservation and enjoyment of the na-
19 tionally significant scenic, historic, natural, and cul-
20 tural qualities of the Trail corridor.

21 (3) Publish maps of the completed trail cor-
22 ridor.

23 (b) LAND ACQUISITION TEAM.—

24 (1) IN GENERAL.—In carrying out subsection
25 (a), not later than 1 year after the date of the enact-

1 ment of this section, the Secretary, in coordination
2 with the Secretary of the Interior, shall establish a
3 joint Forest Service and Bureau of Land Manage-
4 ment land acquisition team to work in coordination
5 with the Trail Administrator to facilitate the comple-
6 tion and optimization of the Trail, pursuant to the
7 purposes of section 3(a)(2) of the National Trails
8 System Act (16 U.S.C. 1242(a)(2)).

9 (2) DUTIES OF THE TEAM.—The Team shall
10 carry out the following:

11 (A) Conduct Optimal Location Reviews to
12 identify land that—

13 (I) eliminates gaps between sections
14 of the Trail;

15 (ii) may be acquired by the Secretary
16 or the Secretary of the Interior by pur-
17 chase from a willing seller, donation, or ex-
18 change; and

19 (iii) is best suited for inclusion in the
20 Trail in accordance with the purposes and
21 policy of the National Trails System Act
22 (16 U.S.C. 1241 et seq.).

23 (B) Provide the necessary administrative
24 support to complete conveyances of land identi-
25 fied under subparagraph (A).

1 (C) Consistent with the priorities described
2 in subsection (a), conduct Optimal Location Re-
3 views to identify—

4 (I) portions of the Trail on Federal
5 land that should be relocated to maximize
6 the conservation and enjoyment of the na-
7 tionally significant scenic, historic, natural,
8 or cultural qualities of the Trail corridor;
9 and

10 (ii) where to relocate such portions of
11 the Trail.

12 (D) Provide the necessary administrative
13 support to relocate portions of the Trail identi-
14 fied under subparagraph (C).

15 (e) ACQUISITION PLAN.—Not later than 3 years after
16 the date of the enactment of this Act, the Secretary shall,
17 after consultation with the Secretary of Interior, Gov-
18 ernors of the affected States, Indian Tribes, and the Con-
19 tinental Divide Trail Coalition, submit to the Committee
20 on Natural Resources of the House of Representatives and
21 the Committee on Energy and Natural Resources of the
22 Senate a comprehensive acquisition or protection plan.
23 This plan should identify any incomplete segments or gaps
24 where the respective agencies have not been able to acquire
25 access, right-of-ways, easements, or acquisitions to date

1 from willing sellers, donations, or exchanges, and a plan
2 for all lands to be acquired by fee title or lesser interest,
3 along with detailed explanation of anticipated necessary
4 cooperative agreements for any lands not to be acquired;
5 and general and site-specific development plans, including
6 anticipated costs.

7 (d) METHOD OF ACQUISITION.—In carrying out this
8 section, the Team—

9 (1) may acquire land only by purchase from a
10 willing seller with donated or appropriated funds,
11 donation, or exchange; and

12 (2) may not acquire land by eminent domain.

13 (e) MAINTAINING EXISTING PARTNERSHIPS.—In
14 carrying out this section, the Secretary and the Team shall
15 continue to maintain and develop working partnerships
16 with volunteer and nonprofit organizations that assist in
17 the development, maintenance, and management of the
18 Trail.

19 (f) REPORTS.—

20 (1) SECRETARY.—Not later than 1 year after
21 the creation of the Team, and at the close of each
22 fiscal year until the acquisition program is com-
23 pleted, the Secretary shall transmit, in writing, the
24 following information to the Committee on Natural
25 Resources of the House of Representatives and the

1 Committee on Energy and Natural Resources of the
2 Senate:

3 (A) The amount of land acquired during
4 the fiscal year and the amount expended for
5 such land.

6 (B) The amount of land planned for acqui-
7 sition in the ensuing fiscal year and the esti-
8 mated cost of such land.

9 (C) The estimated amount of land remain-
10 ing to be acquired.

11 (2) CONTINENTAL DIVIDE TRAIL COALITION.—
12 Not later than 1 year after the creation of the
13 Team, and until the entire acquisition program is
14 completed, the Continental Divide Trail Coalition
15 shall transmit a report at the close of each fiscal
16 year to the Committee of Natural Resources of the
17 House of Representatives and the Committee on En-
18 ergy and Natural Resources of the Senate, which
19 shall include the following:

20 (A) The progress of the Secretary in mak-
21 ing the necessary acquisitions to complete and
22 optimize the Trail.

23 (B) The manner in which negotiations for
24 the acquisition program are being conducted for
25 every section of the Trail.

1 (C) Whether in any case larger interests in
2 land are being acquired than are necessary to
3 carry out the purposes of this Act.

4 (g) DEFINITIONS.—In this section:

5 (1) OPTIMAL LOCATION REVIEW.—The term
6 “Optimal Location Review” means the procedures
7 described in the Continental Divide National Scenic
8 Trail Optimal Location Review Guide, dated Novem-
9 ber 2017.

10 (2) SECRETARY.—The term “Secretary” means
11 the Secretary of Agriculture, acting through the
12 Chief of the Forest Service.

13 (3) TEAM.—The term “Team” means the land
14 acquisition team established under subsection (b).

15 (4) TRAIL.—The term “Trail” means the Con-
16 tinental Divide National Scenic Trail established by
17 section 5 of the National Trails System Act (16
18 U.S.C. 1244).