

August 4, 2020
For Immediate Release



Kansas Natural Resource Coalition

Bringing Voice and Environmental Decision-making to Local Government

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Bulletin

National Park Service Completes its Feasibility Study; Recommends National Historical Trail Designation For 2 Trails Across 22 Kansas Counties

In May 2019, the Santa Fe office of the National Park Service (NPS) issued a Finding of No Significant Impact (FONSI) for the *Chisholm and Western National Historical Trails Feasibility Study/Environmental Assessment (FS/EA)*.¹ In winter, 2019 draft legislation was prepared by Kansas Senator Jerry Moran that if passed, would designate the 1,378-mile Chisholm and the 1,350-mile Great Western Trails as a single-managed unit under the National Trails System Act.²

The proposed 1,350-mile Great Western Trail cuts across a four-state region, including **Clark, Ford, Hodgeman, Finney, Lane, Gove, Sheridan and Rawlins** Counties in western Kansas.

While the Moran legislation proposes safeguards for landholders, limits on federal eminent domain powers, and positive protection from buffer zones, county commissioners, affected landholders, and agricultural interests should understand that the designation *process* imposes procedural requirements and additional environmental studies on the Secretary of the Interior that include an inventory of historic trails and sites, as well as preparation of a Comprehensive Plan (CP):

“If Congress designates the trails, a comprehensive plan would be prepared covering administration of the trails. The planning process would involve federally recognized American Indian tribes; federal, state, and local agencies; landowners; and site managers. NEPA analysis and other regulatory compliance requirements for the comprehensive plan will be completed as appropriate. The plan would outline resource protection and interpretation of the trails. The plan also would identify high potential trail segments and historic sites. Cooperative agreements would outline strategies for partners to accomplish national historic trail goals.”³

The management-planning and inventory process can take years to complete, and can result in mapping of ruts, barns, outhouses, fences or other, seemingly innocuous structures across public or private lands. Impacts can include pressure on landholders to allow access or protect artifact sites, reductions in county revenues from tax abatements, complications with county land use plans, or protection requirements imposed on agricultural operations as part of federal funding programs.

KNRC has reviewed the history, benefits, tax, and private-property implications associated with National Historic Trail designations, and the Western National Historic Trail in Kansas. Using previous historic trail designations across the United States as context, on **Thursday, September 10, 2020 from 10:00 to 11:00 am Central Time** KNRC will host a policy briefing to review findings and make recommendations for KNRC members, congressional staff and invitees. Please contact Norm MacLeod of Jim Carlson for registration or additional information.

¹ Draft Chisholm and Great Western National Historic Trail Feasibility Study/Environmental Assessment. National Park Service. May, 2019.

² National Trails System Act. 16 USC 1244(a). Correspondence. Sen. Jerry Moran to Secretary David Bernhardt. April 19, 2019.

³ Finding of No Significant Impact. Chisholm and Western Historic Trails Feasibility Study/Environmental Assessment. September 09, 2016. pps 2