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SENATE

{ REPORT  
106-441

### CALIFORNIA TRAIL INTERPRETIVE ACT

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SEPTEMBER 29, 2000.—Ordered to be printed

Filed under authority of the order of the Senate of September 28 (legislative day, September 22), 2000

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Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

### REPORT

[To accompany S. 2749]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2749) to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE MEASURE

The purpose of S. 2749 is to authorize the Secretary of the Interior to establish the California Trail Interpretive Center near Elko, Nevada to interpret the history of development and use of the California Trail in settling the West.

#### BACKGROUND AND NEED

The California Trail, stretching from the Missouri River westward to the California frontier, was the route of the greatest mass migration in American history. The trail was used by settlers and prospectors as they made their way west during the mid-1800's, its use exploding with the discovery of gold in California in 1848. Over 300,000 people emigrated west along the California Trail.

In 1992, the California National Historic Trail was established by Public Law 102-328 as a component of the National Trails System. National historic trails are extended trails of national historical significance which follow as closely as practicable the original

trails or routes of travel. The primary purpose of national historic trails is the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment. The National Trails System Act allows the establishment of interpretive centers and other facilities along trails in order to provide for public understanding and enjoyment.

S. 2749 authorizes the Secretary of the Interior, acting through the Director of the Bureau of Land Management, to plan, construct and operate a visitor center along the California Trail, near the city of Elko, Nevada. The location is at the junction of the California Trail and the Hastings Cutoff, the route on which the ill-fated Donner Party wandered for 31 days, setting the stage for their tragic attempt to cross the Sierra Nevada.

#### LEGISLATIVE HISTORY

S. 2749 was introduced by Senator Reid on June 19, 2000. The Subcommittee on National Parks, Historic Preservation and Recreation held a hearing on S. 2749 on September 14, 2000. At the business meeting on September 20, 2000, the Committee on Energy and Natural Resources ordered S. 2749 favorably reported.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 20, 2000, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 2749.

#### SECTION-BY-SECTION ANALYSIS

Section 1 designates the bill's short title.

Section 2 contains congressional findings and purposes.

Section 3 provides definitions for key terms used in the legislation, including the term "California Trail," which means the California National Historic Trail established under section 5(a)(18) of the National Trails System Act (16 U.S.C. 1244(a)(18)).

Section 4(a) authorizes the Secretary of the Interior (acting through the Director of the Bureau of Land Management) to establish the California Trail Interpretive Center (Center) near the city of Elko, Nevada.

Subsection (b) requires the Secretary, in carrying out subsection (a), to consider the findings of the master plan study for the Center and to initiate a plan for the development of the Center.

Subsection (c) authorizes the Secretary to: (1) acquire land and interests in land for the construction of the Center by donation, purchase with donated or appropriated funds, or exchange; (2) provide for local involvement concerning the development and operation of the Center by the Advisory Board for the National Historic California Emigrant Trails Interpretive Center; (3) periodically prepare a budget and funding request that allows a Federal agency to carry out the maintenance and operation of the Center; (4) to enter into cooperative agreements with the State to provide assistance in removal of snow from roads and for rescue, firefighting, and law enforcement, and with Federal, State, or local agencies to develop or operate facilities and services to carry out this legislation; and (5) to accept donations of funds, property, or services, including one-time contributions for the Center of \$3 million from the State

of Nevada, \$1 million from Elko County, Nevada, and \$2 million from the city of Elko, Nevada.

Section 5 authorizes the appropriation of \$12 million to carry out this legislation.

#### COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office cost estimate report had not been received at the time the report was filed. When the report becomes available, the Chairman will request that it be printed in the Congressional Record for the advice of the Senate.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2749. The bill is not a regulatory measure in the sense of imposing Government-established standard or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2749, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

On September 15, 2000, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 2749. These reports had not been received at the time the report on S. 2749 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the Advice of the Senate. The testimony provided by the Bureau of Land Management at the Subcommittee hearing follows:

#### STATEMENT OF HENRI BISSON, ASSISTANT DIRECTOR FOR RENEWABLE RESOURCES AND PLANNING, BUREAU OF LAND MANAGEMENT

Mr. Chairman, thank you for the opportunity to testify today on S. 2749. The Bureau of Land Management (BLM) supports with recommended modification this bill to establish the creation of the California Trail Interpretive Center in Elko, Nevada.

During the 19th century westward movement, the occurrence of hot springs, combined with the availability of feed and fresh water, gave rise to the community which is today the City of Elko—a well-remembered location along the Overland Trail. Over 300,000 emigrants passed over this ground on their way west between 1840 and 1869. The emigrants traveling on the California Trail added to the population base for the development of the American west, and in so doing, their numbers discouraged England and Russia in their efforts to colonize the Pacific Coast. The early settlers of the State of Nevada were direct descendants of the emigrants who traveled the California Trail.

This six-month journey from St. Joseph, Missouri, to the Central Valley of California covering 1,800 miles, saw twice as many emigrants than all other trails combined. Today, few motorists on Interstate 80 know that they are traveling along the California Trail. In fact, when aerial photographs were taken during construction of Interstate 80 in the 1960s, well over a century after the emigrants had passed by, remnants of the wagon passage could still be identified. A few of those who passed by the future site of Elko on their way west later returned to the region, founding some of the oldest ranches in the county and what would become, in the words of the late journalist Lowell Thomas, “the last real cow county of the West.”

Today Elko is the economic hub of northeastern Nevada. Through an interpretive center such as the one proposed by this legislation, Americans will continue to learn about, and better understand, one of the most important phases of American history—the emigrant experience. Through that great migration, Americans populated the West and took the first steps toward creation of the great economic engines that exist today in California, Oregon, Washington and Nevada.

The proposed site of the center is a 40-acre parcel located approximately 10 miles southwest of Elko near the Hunter Interchange of Interstate 80, the junction of California Trail and the Hastings Cutoff, which during the gold rush years of 1849–1850 brought fortune seekers to the Humboldt River. The Humboldt River and the original Central & Western Pacific Railroad also cross this area. The Interpretive Center would support economic diversity within Elko County. This is a county where an economy, historically dependent upon livestock, ranching and mining, will clearly benefit from the tourism opportunity. Easy access from I–80 will entice tourists to stop and learn more of our nation’s colorful history.

Through strong community support, \$6 million has been committed toward this project, of which the city of Elko and the County of Elko have committed \$2,000,000 and \$1,000,000, respectively. Additionally, the State of Nevada has committed \$3,000,000. Congress previously authorized \$250,000 for a feasibility study which will be completed by mid-December of this year. S. 2749, is the next logical step, representing Congress’ commitment to working with the local partners making the Center a reality, by authorizing a \$12 million federal share of the required funding. In addition, the State of Nevada’s commitment is contingent upon federal funding.

BLM has the expertise to manage and maintain this Center. To ensure the Center’s efficient operation, we recommend that the bill be modified to include permanent authority for the BLM to accept, retain, and expend donations of funds, property, or services. We also recommend that the BLM receive permanent authority to collect an entrance fee from visitors and to use the amounts received from fees for expenses associated with the Center’s oper-

ation. In addition to expected income in the form of visitor entrance fees authorized by the pilot fee demonstration program, there will be estimated annual operating costs of \$900,000 for which additional operations and maintenance funding will be needed on an annual basis if the visitor center is to provide the educational, informational and management services envisioned. The land management priorities in Nevada are such that the annual operating cost of the Center could not be met at the current funding levels.

This concludes my statement. I will be happy to answer any questions you may have.

#### CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 2749, as ordered reported.

