

112TH CONGRESS
1ST SESSION

S. 1084

To amend the National Trails System Act to designate the routes of the Shawnee Cattle Trail, the oldest of the major Texas Cattle Trails, for study for potential addition to the National Trails System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 26, 2011

Mr. MORAN (for himself and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the National Trails System Act to designate the routes of the Shawnee Cattle Trail, the oldest of the major Texas Cattle Trails, for study for potential addition to the National Trails System, 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 “Shawnee Cattle Trail
5 Study Act”.

1 **SEC. 2. DESIGNATION OF TRAIL FOR STUDY.**

2 Section 5(c) of the National Trails System Act (16
3 U.S.C. 1244(c)) is amended by adding at the end the fol-
4 lowing:

5 “(46) SHAWNEE CATTLE TRAIL.—The Shawnee
6 Cattle Trail, consisting of three main branches,
7 East, Middle, and West, and several smaller con-
8 necting trails extending from Texas to Missouri, and
9 later Kansas, which is considered the oldest of the
10 major Texas Cattle Trails, used from the 1840s
11 until 1872.”.

12 **SEC. 3. PRIVATE PROPERTY PROTECTIONS.**

13 (a) ALTERNATIVES TO PROTECT PRIVATE PROP-
14 erty.—In conducting the study required by the amend-
15 ment made by section 2, the Secretary shall not consider
16 any alternative that would—

17 (1) require any private property owner to allow
18 public access (including Federal, State, or local gov-
19 ernment access) to such private property;

20 (2) modify any provision of Federal, State, or
21 local law with regard to public access to or use of
22 private property;

23 (3) create any liability, or have any effect on
24 any liability under any other law, of any private
25 property owner with respect to any persons injured
26 on such private property;

1 (4) modify the authority of Federal, State, or
2 local governments to regulate land use;

3 (5) require the owner of any private property to
4 participate in or be associated with any addition to
5 the National Parks System;

6 (6) result in the reduction in value of property
7 held by a private property owner; or

8 (7) require or allow the Federal Government to
9 acquire lands, or interests therein, outside the exte-
10 rior boundaries of any federally administered area,
11 except with the consent of the owner thereof.

12 (b) **IMPACTS ON PRIVATE PROPERTY.**—The study
13 shall include an analysis and documentation regarding
14 whether each alternative proposed has potential or actual
15 impact on private property located within or abutting the
16 trail area.

17 **SEC. 4. PRIVATE PROPERTY OWNER NOTIFICATION.**

18 Not less than 30 days before the Secretary of the In-
19 terior begins the study required by the amendment made
20 by section 2, the Secretary shall notify all private property
21 owners whose land will be studied that the study will be
22 conducted.

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