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March 20, 2015

National Park Service
National Trails Intermountain Region
Attn: Mr. Aaron Mahr, Superintendent
PO Box 728
Santa Fe, New Mexico 87504

Re: National Park Service Draft Chisholm and Great Western Feasibility Study and Environmental Assessment

Mr. Mahr;

On behalf of the United States Cattlemen's Association (USCA) and its nationwide membership of cow-calf operators, backgrounders and feedlot operators, thank you for the opportunity to comment on the *Draft Chisholm and Great Western Feasibility Study and Environmental Assessment*.

In 2009, Congress passed and President Obama signed legislation mandating that a study be conducted determining the feasibility and environmental impact of the designation of the Chisholm Trail and Great Western Trail as national trails by the National Park Service. The feasibility study/environmental assessment was recently completed and USCA offers the following comments on the draft and further action by either NPS or Congress on this issue.

The Chisholm Trail and Great Western Trail commemorate the routes followed by over 10 million head of livestock that traveled from southern Texas to Kansas during the late 1800s. USCA, in accordance with current policy, opposes the use of the feasibility study/environmental assessment in any action taken toward an official designation by Congress.

The precedent set by this study and any potential designation could have precedent over the number of cattle trails present throughout the country. The potential use of eminent domain in securing land involved with these trails is especially concerning to our membership whose operations subsist off of both public and private lands. USCA firmly believes that no private property rights be acquired for this project without the willing consent of landowners.

The vast acreage represented within the Chisholm Trail and Great Western Trail and stated within the public law authorizing the study, "...from the vicinity of San Antonio, Texas ... to Enid, Oklahoma, Caldwell, Kansas, Wichita, Kansas, Abilene, Kansas, and commonly used segments running to alternative Kansas destinations" as well as "The Great Western Trail (also known as the 'Dodge City Trail'), from the vicinity of San Antonio, Texas, north-by-northwest [to] Oklahoma, north through Kansas to Dodge City, and north through Nebraska to Ogallala", is cause for careful scrutiny of any potential designation.

As per the legislative order established on the designation of any trail, the feasibility study and environmental assessment conducted do not give immediate action to this issue. Rather, any request to Congress made as a follow-up to the study and assessment should include, at the minimum, stipulations currently included in the *National Trail Act*, specifically the following:


- “The Secretary may accept donations for the Trail from private, nonprofit, or tribal organizations. No lands or interests in lands outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Trail . . . except with the consent of the owner thereof.” See National Trails System Act, Sec. 5(a)(16)(D)
- “The designation of the trail does not authorize any person to enter private property without the consent of the owner.” See National Trails System Act, Sec. 5(a) (24)(C)(iii)

Such items are in place to protect land owners and land users and must be considered in any further action on this issue.

USCA opposes the designation of the Chisholm Trail and Great Western Trail. Protecting private property rights is a priority of USCA and we will continue to advocate on these rights as this issue moves forward toward any potential designation.

We welcome your feedback and comments to the concerns listed above. Please contact our Washington, D.C. office at (202) 546-0464 for further information or clarification regarding any of the above stated concerns.

Regards,

A handwritten signature in blue ink that reads "Danni Beer". The signature is written in a cursive, flowing style.

Danni Beer
President
United States Cattlemen's Association